

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**December 15, 2009**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, December 15, 2009, in City Council Chambers of the Carbondale Civic Center, 200 South Illinois Avenue. Following a meeting of the Local Liquor Control Commission, Mayor Brad Cole called the meeting to order at 7:12 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

Present: Councilman Lance Jack, Councilman Joel Fritzler, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes and Mayor Brad Cole

Absent: Councilwoman Corene McDaniel

Also present were City Clerk Janet M. Vaught, City Manager Allen D. Gill and various members of the City's administrative staff. Mayor Cole noted that Councilwoman McDaniel had notified the City Council that she would be out of town and unable to attend this meeting.

**2. General Announcements and Proclamations**

Councilwoman Pohlmann announced that on WSIU-TV on Friday, December 16, at 9:00 p.m., the program "In Focus" will feature the City of Carbondale's neighborhood disaster preparedness program called "Map Your Neighborhood." There will also be a feature on the celebration held in October by the Carbondale Park District. The program will be repeated Sunday at 12:30 p.m. and can also be viewed through the WSIU-TV website archives, Show #444.

Mayor Cole noted that a Gang Resistance Education and Training (GREAT) Graduation had been held earlier in the day for Carbondale Middle School students. In addition, prior to this meeting there were graduation ceremonies for the Carbondale Police Department's Citizen Police Academy.

Mayor Cole noted that City Hall offices would be closing at noon on Thursday, December 24, and would remain closed on Friday, December 25, for the Christmas holiday. City refuse collection will not be affected. In addition, City Hall offices will be closed on Friday, January 1, for the New Years Day holiday. Again, City refuse collection will not be affected.

Mayor Cole noted that the next City Council meeting would be held on Tuesday, January 19, 2010.

**3. Citizen Comments and Questions**

Barry Spehn, 500 Charles Road #31, noted problems he is having with his landlord and although he had reported the problems to the City, nothing had been done. He said he wants to see results. Mr. Spehn also repeated his concerns about tow trucks operating without light bars or securing the vehicles they are towing. Mr. Spehn said he also thinks the City is not safe, adding that he no longer feels safe walking around town.

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Chuck Paprocki, 218 North Illinois Avenue, spoke in opposition to the proposal to privatize the water system. He said that people do not feel that the issue is dead and that citizens need to be on alert until the water supply system is put into a public trust and cannot be sold against the public will. He asked that the Mayor and City Council go on record that they will not sell the water system.

Jim Brooks, 183 Poker Run, said it had been seven months since the derecho but nothing has yet been done to clean up Marberry Arboretum. He asked why nothing has yet been done. Mayor Cole noted that Marberry Arboretum is under the jurisdiction of the Carbondale Park District, not the City of Carbondale. Mr. Brooks also noted that he had been arrested by SIU Police for public possession on SIU property and asked about the opportunities for community service. Mayor Cole asked that Mr. Brooks speak with City Attorney Mike Kimmel regarding community service.

Satya Sehgal, 510 North Springer, began to comment regarding possible sales taxes or property taxes; Mayor Cole asked that she hold her comments until those items come up for discussion later on in the agenda.

Reverend Sidney Logwood, 1701 West Colonial Drive, speaking as the President of the Carbondale Chapter of the NAACP, invited all to attend a community meeting to be held at the Eurma C. Hayes Center on December 17 at 6:30 p.m. for the purpose of discussing the elimination of the Community Relations/Affirmative Action/Equal Opportunity Officer. He spoke in opposition to the elimination of the position, adding that the AA/EEO duties should not be assigned to Human Resources.

Treesong, 416 South Graham, spoke in opposition to the proposal to privatize the water system. He asked that information be shared about the companies that provided the financial data regarding the value of the system. Treesong also spoke in opposition to the elimination of the Community Relations Officer and in opposition to possible cuts in funding for community organizations.

Tria Milo, 1006 South Johnson, spoke in opposition to the proposal to privatize the water system.

Vincent Porvaznik, 1819 West Freeman, spoke in opposition to the proposal to privatize the water system. He urged the City Council to pass a resolution that would never permit the City of Carbondale to sell the assets or water rights.

Claudia Teller, 704½ West Elm, spoke in opposition to the proposal to privatize the water system.

Wayne Weiseman, 510 West Pecan, asked that the prohibition on keeping chickens inside the City limits be amended to allow the keeping of hens. He provided written information for the City Council's review.

Barbara McKasson, 899 Rural Road, Makanda, speaking as President of the Shawnee Sierra Club, presented a petition in opposition to privatizing the water system.

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**4. Public Hearings and Special Reports**

1. Police Swearing In Ceremony

Mayor Brad Cole administered the Police Oath of Office to new Carbondale Patrol Officers Kimberly Lockinour, Tyler Pingolt, Mark Murray, Anthony Kirby, Jeffrey Withrow and Jarin Dunnigan.

**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 December 1, 2009. Recommendation: Approve.
2. Warrant for Period Ended November 16, 2009, Warrant #1081. Recommendation: Approve in amount of \$2,759,245.70. (Exhibit A-12-15-09)
3. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Police Pension Fund Board of Trustees of October 27, 2009.
4. Removed from Consent.
5. Resolution Authorizing the Submission of a Community Development Assistance Program Application for Housing Rehabilitation and Committing Local Matching Funds. Recommendation: Approve. (Res. 2009-R-74; Exhibit B-12-15-09)
6. Resolution Declaring Fair Days for the Annual Southern Illinois Irish Festival. Recommendation: Approve. (Res. 2009-R-75; Exhibit C-12-15-09)
7. Ordinance Adopting the Jackson County Multi-Hazard Mitigation Plan. Recommendation: Approve. (Ord. 2009-58; Exhibit D-12-15-09)
8. Resolution Supporting the U.S. Census Bureau in the 2010 Census. Recommendation: Approve. (Res. 2009-R-76; Exhibit E-12-15-09)
9. Resolution Approving the West Main Street - North Glenview Drive Subdivision and Subdivision Agreement located at 1600 West Main Street. Recommendation: Approve. (Res. 2009-R-77; Exhibit F-12-15-09)

The Mayor asked if anyone would like any items removed from the Consent Agenda. Councilman Jack asked that Item 5.4 be removed.

C. Wissmann moved, L. Jack seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.5, 5.6, 5.7, 5.8 and 5.9. VOTE: Ayes: L. Jack, J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

**5.4 Ordinance Amending Title Two of the Carbondale Revised Code**

L. Jack moved, J. Fritzler seconded, that the Council adopt the Ordinance Amending Title Two of the Carbondale Revised Code as it Relates to Exceptions to Legal Entry Age. DISCUSSION: Councilman Jack commended the Liquor Advisory Board for coming up with a solution to a problem in order to support a local business. VOTE: Ayes: L. Jack, J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-59; Exhibit G-12-15-09)

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**6. General Business**

1. Ordinance Amending Title Seven (7) of the Carbondale Revised Code Imposing an Additional One-Half of One Percent (.50%) Home Rule Municipal Retailers and Service Occupation Tax

S. Haynes moved, M. Pohlmann seconded, that the Council adopt the Ordinance Amending Title Seven (7) of the Carbondale Revised Code Imposing an Additional One-Half of One Percent (.50%) Home Rule Municipal Retailers and Service Occupation Tax. DISCUSSION: City Council members expressed their thoughts concerning the increase in the sales tax rate versus the reinstatement of the property tax levy for City purposes, privatizing the water/sewer system or other proposed ideas for addressing the City's budget concerns. Citizens speaking on this issue were: Lynn Waters, 512 North Springer; Sidney Logwood, 1701 West Colonial (noting for the record that he was speaking as a private citizen and not as the President of the Carbondale Branch of the NAACP); Satya Selah, 510 North Springer; Sandy Litecky, 603 West Walnut; Donald Monty, 418 South Giant City Road; and Randy Osborne, 103 Juniper, Carbondale, representing the Carbondale Boys and Girls Club and Positive Youth Development. Following citizen comments, Council members made additional comments. VOTE ON MOTION: Ayes: J. Fritzler, M. Pohlmann, C. Wissmann and S. Haynes. Nays: L. Jack and B. Cole. Motion declared carried. (Ord. 2009-60; Exhibit H-12-15-09)

2. Ordinance Abating the 2009 Tax Levies for General Obligation Bonds

C. Wissmann moved, M. Pohlmann seconded, that the Council adopt the Ordinance Abating the 2009 Tax Levy for \$4,255,000 General Obligation Refunding Bonds Debt Service, Series 2003; adopt the Ordinance Abating the 2009 Tax Levy for \$6,185,000 General Obligation Refunding Bonds Debt Service, Series 2004; and adopt the Ordinance Abating the 2009 Tax Levy for \$5,690,000 General Obligation Refunding Bonds Debt Service, Series 2006. VOTE: Ayes: J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: L. Jack. Motion declared carried. (Ord. Nos. 2009-61, 2009-62 and 2009-63 respectively; Exhibits I-12-15-09, J-12-15-09 and K-12-15-09 respectively)

3. Ordinance Adopting the 2009 Property Tax Levy

S. Haynes moved, J. Fritzler seconded, that the Council adopt the Ordinance Adopting the 2009 Property Tax Levy in the amount of \$812,721. VOTE: Ayes: J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-64; Exhibit L-12-15-09).

4. Ordinance Establishing the 2009 Tax Levy for the Downtown Special Service Area Number One

L. Jack moved, C. Wissmann seconded, that the Council adopt the Ordinance Establishing the 2009 Tax Levy for the Downtown Special Service Area Number One. VOTE: Ayes: J. Fritzler, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2009-65; Exhibit M-12-15-09).

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**7. Council Comments**

Councilman Fritzler noted that he would never support the privatization of the City's water.

Mayor Brad Cole responded to comments made earlier in the meeting regarding the privatization of the City's water and sewer system and also addressed the budget issues facing the City, including the funding of pensions and other increasing City financial obligations.

**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:18 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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