

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**January 19, 2010**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, January 19, 2010, 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 7:13 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

Present: Councilman Joel Fritzler, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Lance Jack 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**

Councilman Wissmann announced that there would be a Red Cross benefit at Tres Hombres on February 1st to raise funds for the relief efforts in Haiti following the devastating earthquake. Mayor Cole added that the City of Carbondale extends its well wishes and sympathies to the people of Haiti and advised people wanting to help to contact the Red Cross or their local churches.

Mayor Cole noted that Christmas tree recycling would continue through January 29, 2010.

Mayor Cole announced that City offices were closed on Monday, January 18, for the Dr. Martin Luther King Jr. holiday. All refuse collection routes will be pushed back one day this week.

Mayor Cole noted that the next City Council meeting would be held on Tuesday, February 9, 2010.

Mayor Cole announced that Americorps and the City of Carbondale would be cosponsoring a Martin Luther King Jr. Community Service Project. Persons interested in volunteering for this neighborhood beautification and recycling project should meet at the Eurma C. Hayes Center on Tuesday, January 26, at 2:00 p.m..

Mayor Cole proclaimed the month of February 2010 as "Black History Month."

**3. Citizen Comments and Questions**

Elius Reed, 2012 South Illinois Avenue, asked questions regarding the names of any black male or female Carbondale residents that had been employed on various Carbondale construction projects. Mr Reed also referenced the Workshop on Construction Apprenticeship which was held earlier in the month, stating that some attendees indicated

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that there were no applications available and added that any follow-up with participants needs to be conducted as soon as possible because the new construction season began on January 18th. Mr. Reed asked if the City's Affirmative Action Plan will apply to the twenty new homes that will be built on Carbondale's northeast side, adding that the northeast residents were not notified of a hearing date concerning the building of these homes. Mr. Reed asked if the City enforces a progressive discipline policy when disciplining its employees.

#### 4. Public Hearings and Special Reports

#### 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 15, 2009. Recommendation: Approve.
2. Warrant for Period Ended November 30, 2009, Warrant #1082. Recommendation: Approve in amount of \$1,440,295.98. (Exhibit A-1-19-10)
3. Warrant for Period Ended December 14, 2009, Warrant #1083. Recommendation: Approve in amount of \$1,001,560.38. (Exhibit B-1-19-10)
4. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Human Relations Commission of November 2 and December 7, 2009; Liquor Advisory Board of November 4 and December 3, 2009; Library Board of Trustees of November 4, 2009; and Planning Commission of December 16, 2009.
5. Appointments to Boards and Commissions. Recommendation: Concur in Mayor's reappointment of Kevin Clark, Evelyn Koine and Dede Lingle Ittner to the Preservation Commission through October 31, 2012.
6. Removed from Consent.
7. Acceptance of 2009 Annual Report of the Board of Fire and Police Commissioners. Recommendation: Accept and place on file.
8. Removed from Consent.
9. Removed from Consent.
10. Resolution Authorizing the City Manager to Petition the Illinois Department of Transportation for Construction of the Glenview Water Line Improvements (CIP WS1005). Recommendation: Approve. (Res. 2010-R-01; Exhibit C-1-19-10)
11. Resolution Authorizing the City Manager to Execute Local Agency Amendment #1 for Federal Participation with IDOT for the Resurfacing of Wall Street, Washington Street and Oakland Avenue and Resolution Authorizing the City Manager to Execute Local Agency Amendment #1 for Federal participation with IDOT for the Marion Street Extension project. (Res. 2010-R-02 and 2010-R-03 respectively; Exhibits D-1-19-10 and E-1-19-10 respectively.)
12. Ordinance Increasing the FY 2010 Water and Sewer Budget for Sewage Lift Stations. Recommendation: Approve. (Ord. 2010-01; Exhibit F-1-19-10)
13. Ordinance Increasing the FY 2010 Development Services Budget for Planning Services. Recommendation: Approve. (Ord. 2010-02; Exhibit G-1-19-10)
14. Removed from Consent.
15. Ordinance Amending Titles Four and Sixteen of the Carbondale Revised Code regarding Fee Waivers for LEED Certified Buildings. Recommendation: Approve. (Ord. 2010-03; Exhibit H-1-19-10)

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The Mayor asked if anyone would like any items removed from the Consent Agenda.

Councilwoman Pohlmann asked that 5.8 be removed. Councilman Jack asked that 5.9 be removed. Councilman Haynes asked that 5.6 and 5.14 be removed.

M. Pohlmann moved, C. Wissmann seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.7, 5.10, 5.11, 5.12, 5.13 and 5.15. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

5.6. Ordinance Amending Title One of the Carbondale Revised Code to comply with the Illinois Freedom of Information Act

S. Haynes moved, J. Fritzler seconded, that the Council approve the Ordinance Amending Title One of the Carbondale Revised Code to Comply with the Illinois Freedom of Information Act. DISCUSSION: Councilman Haynes noted that by passage of this Ordinance the City is demonstrating its commitment to transparency. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-04; Exhibit I-1-19-10)

5.8. Ordinance Changing the Status of an Annexed Area to Allow the Sale of Alcoholic Liquor

M. Pohlmann moved, L. Jack seconded, that the Council approve the Ordinance Changing the Status of an Annexed Area owned by Wayne Qualls to Allow the Sale of Alcoholic Liquor. DISCUSSION: Councilman Pohlmann noted that the City Council had passed ordinances previously to change the status of property but those ordinance had not been placed on the Consent Agenda. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and L. Jack. Nays: None. Abstentions: B. Cole. Motion declared carried. (Ord. 2010-05; Exhibit J-1-19-10)

5.9. Ordinance Amending Title Two of the Carbondale Revised Code to Increase the Cap on Class C Liquor Licenses

L. Jack moved, M. Pohlmann seconded, that the Council adopt an Ordinance Amending Section 2-4-9.C of the City Code to increase the cap on Class C liquor licenses from seven (7) to eight (8). DISCUSSION: A majority of Council members indicated they would like to see the issue of caps and whether grocery stores should be allowed to sell alcohol considered at a future meeting. Zach and Tiffany Short spoke in support of increasing the cap. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and L. Jack. Nays: J. Fritzler and B. Cole. Motion declared carried. (Ord. 2010-06; Exhibit K-1-19-10)

5.14. Resolution Approving the Final BPL Development Plan for the DLC Management Corporation on Behalf of Chili's Located at 1240 East Main Street

S. Haynes moved, C. McDaniel seconded, that the adopt the Resolution approving the Final BPL Development Plan for the DLC Management Corporation on behalf of Chili's Located at 1240 East Main Street. DISCUSSION: Councilman Haynes inquired about the entry and exit roads into the development. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Res. 2010-R-04; Exhibit L-1-19-10)

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**6. General Business**

1. Ordinance Approving and Resolution Denying Edward Shay's Request to Rezone a 1.55 Acre Parcel Located at 1601 East Walnut Street from AG, General Agriculture, to R-1-15, Low Density Residential

C. Wissmann moved, M. Pohlmann seconded, that the Council adopt the Ordinance approving the request to rezone 1.55 acres located at 1601 East Walnut Street from AG, General Agriculture, to R-1-15, Low Density Residential. DISCUSSION: Applicant Ed Shay was present to answer questions. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-07; Exhibit M-1-19-10)

2. Ordinance Approving and Resolution Denying John Alleman's Request to Rezone a 6.77 Acre Parcel Located on East Campus Drive from AG, General Agriculture, to R-1-8, Low Density Residential

C. Wissmann moved, M. Pohlmann seconded, that the Council adopt the Ordinance approving the request to rezone 6.77 acres located east of East Campus Drive from AG, General Agriculture, to R-1-8, Low Density Residential. DISCUSSION: Applicant John Alleman was present to speak in support of the request and answer questions. Speaking in opposition to the request were Ed Bryant, 1154 S. Glenbeth, Kara Jones Daly, 1166 South Glenbeth, and Bob Hisgen, 1163 South Glenbeth. Mayor Cole assured the neighbors that they would be given an opportunity to review with City staff the site plan for the development. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: L. Jack. Motion declared carried. (Ord. 2010-18; Exhibit N-1-19-10)

3. Review of Community Goals for the FY 2011 Budget

City Council Members offered suggestions for additions and rewordings to the current City goals for inclusion in the FY 2011 budget. Citizens speaking about the Community Goals were Jane Adams, 702 West Cherry Street, Liz Gersbacher, 1507 West Taylor Drive and Reverend Sidney Logwood, 1701 West Colonial Drive. Council members were asked to provide their suggestions in writing to the City Manager. The Community Goals will be brought back for formal approval in April as part of the approval of the FY 2011 budget. There was no action taken at this meeting.

4. Review of Community Investment Program Checklist Items for Proposed New Projects

There were no suggestions for changes or additions to the Community Investment Program Checklist. The Community Investment Program will be brought back for formal approval in April as part of the approval of the FY 2011 budget. There was no action taken at this meeting.

**7. Council Comments**

There were no Council Comments.

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**8. Closed Meeting**

L. Jack moved, C. Wissmann seconded, that the Council hold a Closed Meeting to discuss the appointment, employment, compensation, performance or dismissal of specific employee(s) of the public body; the salary schedule for one or more classes of employees; the purchase or lease of real property for use by the public body and the setting of a price for sale or lease of property owned by the public body pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5) and (c)(6). VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. Open session recessed at 9:51 p.m..

S. Haynes moved, M. Pohlmann seconded, that the Council return to open session. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:43 p.m..

There was no formal 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 10:44 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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