

City Council of the City of Carbondale, Illinois
Regular Meeting
June 22, 2010

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, June 22, 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 7:04 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 the City of Carbondale would observe Independence Day on Monday, July 5, 2010. City Hall offices will be closed that day and all refuse collection routes will be pushed back one day.

Mayor Cole announced that the Lion's Club fireworks display is scheduled for Sunday, July 4th, at dusk at Abe Martin Field on the Southern Illinois University Carbondale campus. The rain date is Monday, July 5th.

Mayor Cole announced that the next City Council meeting is scheduled for July 20, 2010.

3. Citizen Comments and Questions

There was no one who indicated a desire to speak during this portion of the agenda.

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 May 18, 2010. Recommendation: Approve.
2. Warrant for Period Ended May 3, 2010, FY 2010, Warrant #1093. Recommendation: Approve in amount of \$970,345.54. (Exhibit A-6-22-10)
3. Warrant for Period Ended May 3, 2010, FY 2011, Warrant #1094. Recommendation: Approve in amount of \$948,561.53. (Exhibit B-6-22-10)
4. Warrant for Period Ended May 17, 2010, FY 2010, Warrant #1095. Recommendation: Approve in amount of \$266,635.12. (Exhibit C-6-22-10)

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5. Warrant for Period Ended May 17, 2010, FY 2011, Warrant #1096. Recommendation: Approve in amount of \$2,250,546.68. (Exhibit D-6-22-10)
6. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Fire Fighters Pension Fund Board of Trustees of September 15, October 5 and December 8, 2009, and February 10, 2010; Carbondale Public Library Board of Trustees of March 10 and April 14, 2010; Liquor Advisory Board of May 6, 2010; and Police Pension Fund Board of Trustees of March 23, 2010
7. Acceptance of Deeds and Easements. Recommendation: Accept the permanent easements from P. Michael Kimmel as Trustee for the Philip M. Kimmel Land Trust and from Douglas Parrish and Steve Payne for a water main serving AAA Storage at 2524 West Murphysboro Road and the permanent easement from Westown, Inc., d/b/a Prairie Living West, LLC for a water main serving Prairie Living West at 955 Villa Court and authorize the City Clerk to have the easements recorded in the County Clerk's Office.
8. Resolution Authorizing the City Manager to Execute an Agreement with Fehr-Graham of Rochelle, Illinois for Professional Engineering Services for an Integrated Water and Sewer Utility Planning and Rate Study and an Ordinance Authorizing a Budget Adjustment. Recommendation: Approve Resolution and Ordinance. (Res. 2010-R-25 and Ord. 2010-20 respectively; Exhibits E-6-22-10 and F-6-22-10 respectively) Note: Hans Anderson of Fehr-Graham and Associates LLC was present to answer questions.
9. Ordinance Authorizing the Execution of a Water Easement Release to Blackstone Group. Recommendation: Approve. (Ord. 2010-21; Exhibit G-6-22-10)
10. Ordinance Adopting the Prevailing Rate of Wages of Laborers, Mechanics and Other Workers Employed in Public Works as Certified by the Illinois Department of Labor. Recommendation: Approve. (Ord. 2010-22; Exhibit H-6-22-10)
11. Award of Purchase of a 2010 Model Special Response Vehicle/Mobile Command Unit for the Police Department. Recommendation: Award purchase of a 2011 model Special Response Vehicle/Mobile Command Unit to Odyssey Automotive Specialty, Inc. of Wharton, New Jersey, in amount of \$59,847.00.
12. Award of Contract for FY 2011 Street Cut Repair Program With Option for FY 2012. Recommendation: Award contract for FY 2011 Street Cut Repair Program to C & M Enterprises of Carbondale in amount of \$130,375.50.
13. Resolution Authorizing the City Manager to Execute a Local Agency Agreement for Federal Participation With the Illinois Department of Transportation for the May 2009 Storm Damage. Recommendation: Approve. (Res. 2010-R-26; Exhibit I-6-22-10)
14. Award of Purchase of MFT Maintenance Materials for FY 2011, MFT Section 11-00000-00-GM. Recommendation: Conditionally award MFT Maintenance Materials pending IDOT's concurrence to: Illini Asphalt of Benton for Group A in the amount of \$43,601.90; Dorris Trucking Inc. of Sesser for Group B in the amount of \$3,828.00; Beelman Logistics LLC of East St. Louis for Groups D, F and G in the amount of \$15,624.00; and Marathon Petroleum Company of Benton for Group H in the amount of \$26,061.00; and that the purchase of non-MFT Maintenance Materials be awarded to Beelman Logistics LLC of East St. Louis for Groups C and E in the amount of \$13,710.00.
15. Award of MFT Maintenance for Pavement Preservation, MFT Section 11-00000-01-GM. Recommendation: Conditionally award MFT Maintenance for Pavement Preservation pending IDOT's concurrence to AC Pavement Striping Company of Elgin, Illinois, in the amount of \$137,836.00.

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16. Resolution Authorizing the City Manager to Submit an Application for a Department of Justice, Justice Assistance Grant for the Police Department. Recommendation: Approve. (Res. 2010-R-27; Exhibit J-6-22-10)
17. Ordinance Annexing 1.69 Acres Located at 414 San Diego Road. Recommendation: Approve. (Ord. 2010-23; Exhibit K-6-22-10)
18. Resolution Approving a Time Extension for the Submission of a Final BPL Development Plan Located at 1580 North Reed Station Road to June 22, 2012. Recommendation: Approve. (Res. 2010-R-28; Exhibit L-6-22-10)
19. Approval of a Change Order the Union Hill Road Raw Water Line Relocation (CIP No. WS0801). Recommendation: Approve Change Order in the amount of \$15,568.50 for the Union Hill Raw Water Line Relocation, CIP No. WS0801, to Dean Bush Construction Company of Carbondale.

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

C. Wissmann moved, C. McDaniel seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18 and 5.19. 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 Adopting the new Comprehensive Plan for the City of Carbondale

Mayor Cole expressed the City Council's appreciation to Chairman Robert Harper and the members of the Comprehensive Plan Review Committee. The Mayor asked that the Final Report of the Comprehensive Plan Review Committee authored by Dr. Harper be included as an Addendum to the Plan.

Mayor Cole noted for the purpose of establishing Legislative Intent, the Comprehensive Plan is a document that, if approved, is intended to have some flexibility. He noted that the Plan will be reviewed and updated and occasional changes and/or modifications will be made. The Plan should be considered a blueprint or guidepost but not an absolute mandate; this affords the community and future City Councils the opportunity to make adjustments as needed.

Council members discussed and asked questions about the Comprehensive Plan. There were two suggestions for modification to the Plan; after discussion on the suggested changes, a majority of Council members agreed with the suggestions.

Citizens offering comments or asking questions about the proposed Comprehensive Plan were Jane Adams, Donald Monty, Sandy Litecky, Elius Reed and Genevieve Houghton. Also commenting on the Plan was Dr. Robert Harper, who served as Chairman of the Comprehensive Plan Review Committee.

C. Wissmann moved, C. McDaniel seconded, that the Council approve the Ordinance adopting the Comprehensive Plan for the City of Carbondale with two amendments: (1) in Focus Area 2.2, Strategy 2, insert Action and Initiatives subsection "c", to read, "Repurpose planned unit development as an option within the residential districts, which would allow mixed unit types and may also allow for mixed commercial use

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provided certain development and performance standards are met”and with the relettering of subsequent Action and Initiatives subsections so that the former section “c” becomes subsection “d”, former subsection “d” becomes subsection “e” and so on; and (2) in Focus Area 4.3, Strategy 2, Action and Initiatives subsection “d”, first sentence, to delete the word “allowing” and at the end of that subsection delete the phrase “or students in need of basic, low-cost housing”. DISCUSSION: Mayor Cole noted that in addition to these two amendments, there will likely be some typographical and editorial changes. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-24; Exhibit M-6-22-10)

2. Resolution Accepting the Low Bid of Contegra Builders Company, LLC and Authorizing the Award of a Construction Contract for the Carbondale Public Safety Center

Mr. Paul Garlock of Arcturis and Mr. Brad Barnard of Contegra were present to answer questions.

S. Haynes moved, J. Fritzler seconded, that the Council adopt the Resolution Accepting the Low Bid of Contegra Construction Company, LLC and Authorizing the Award of a Construction Contract for the Carbondale Public Safety Center. DISCUSSION: In response to Councilman Haynes’ request, Mayor Cole noted that reports from the contractor regarding minority employment will be forwarded to the City Council. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Res. 2010-R-29; Exhibit N-6-22-10)

3. Ordinance Providing for the Issuance of (A) Taxable General Obligation Bonds, Series 2010A [Recovery Zone Economic Development Bonds (Direct Payment)] and (B) Taxable General Obligation Bonds, Series 2010B [Build America Bonds (Direct Payment)], Providing the Details of Such Bonds and for a Levy of Taxes to Pay the Principal of and Interest on Such Bonds, and Related Matters

Steve Adams of Bernardi Securities was present to answer questions.

L. Jack moved, C. McDaniel seconded, that the Council adopt the Ordinance Authorizing the Issuance of General Obligation Bonds in the amount of \$7,991,000. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-25; Exhibit O-6-22-10)

4. Revision to 2010 City Council Meeting Schedule

L. Jack moved, S. Haynes seconded, that the Council approve the Revised 2010 Calendar of City Council Meetings. DISCUSSION: Councilwoman Pohlmann noted that she had a personal objection to the change in the August meeting date because she has another commitment and would be unable to attend on the new date. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: M. Pohlmann. Motion declared carried.

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7. Council Comments

Councilwoman Pohlmann noted she attended an Open House at the new Shawnee Health Care Center and the Board and staff of the Center shared with her their deep appreciation to the City of Carbondale for the bonding assistance it provided to help with the construction of the facility.

City Manager Gill announced that this would be the last City Council meeting for Development Services Director Michael Pierceall, who is retiring on June 30th. Mr. Pierceall was thanked for his service to the City.

8. Closed Meeting

C. Wissmann moved, L. Jack seconded, that the City Council hold a closed meeting to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, 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 and litigation, when an action against, affecting or on behalf of the public body is probable or imminent or has been filed and is pending before the court pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5), (c)(6) and (c)(11). 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 9:15 p.m..

S. Haynes moved, J. Fritzler seconded, that the Council return to open session. VOTE: Ayes: M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:17 p.m..

There was no formal action taken as a result of the closed meeting.

8. Adjournment

There being no further business to come before the City Council, the meeting was declared adjourned at 10:18 p.m..

Janet M. Vaught, City Clerk

Approved by the City Council on:
