

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**July 20, 2010**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, July 20, 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 7:20 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

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

Absent: None

Also present were City Clerk Janet M. Vaughn, City Manager Allen D. Gill and various members of the City's administrative staff.

**2. General Announcements and Proclamations**

Mayor Cole announced that by the request of the applicant, Items 4.1 and 6.1 would be removed from the agenda.

Mayor Cole announced that the next City Council meeting would be held on August 3, 2010.

**3. Citizen Comments and Questions**

Elius Reed, 2012 South Illinois Avenue, presented a copy of a letter from James Roseborough of the Veterans Affairs Medical Center announcing that a VA Community Based Outpatient Clinic was opening in Carbondale in December 2010. Reed asked where the clinic would be located; Mayor Cole responded that the City had not been informed of the opening of the clinic but would check on it. Mr. Reed asked about the funding for the 20 houses in northeast Carbondale and how close together the houses could sit; Mayor Cole responded that there is a side-yard setback requirement and City inspectors will check to see that the houses are in compliance. Mr. Reed asked if the loan to Stadium Grill has to be repaid to the State of Illinois; Mayor Cole responded that Stadium Grille would be required to pay the loan back to the City, not the State.

**4. Public Hearings and Special Reports**

1. Public Hearing on Annexation Agreement with V.A. Beadle Trust at 4 Crown Lane

This public hearing was removed from the agenda and not conducted.

**5. Consent Agenda**

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

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1. Approval of Minutes of the Regular City Council meeting held on June 22, 2010. Recommendation: Approve.
2. Warrant for Period Ended May 31, 2010, FY 2010, Warrant #1097. Recommendation: Approve in amount of \$167,790.65. (Exhibit A-7-20-10)
3. Warrant for Period Ended May 31, 2010, FY 2011, Warrant #1098. Recommendation: Approve in amount of \$1,123,106.75. (Exhibit B-7-20-10)
4. Removed from Consent.
5. Acceptance of Minutes of Boards, Commissions and Committees. Recommendation: Accept Carbondale Public Library Board of Trustees of May 12, 2010; Liquor Advisory Board of June 3, 2010; Planning Commission of May 19 and June 2, 2010 (combined minutes); Police Pension Fund Board of Trustees of May 25, 2010; Preservation Commission of March 15, 2010 and Sustainability Commission of March 18 and April 15, 2010.
6. Resolution Rescinding the Policy Established in Resolution No. 90-R-34. Recommendation: Approve. (Res. 2010-R-30; Exhibit C-7-20-10)
7. Removed from Consent.
8. 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 for the Annexation into Williamson County. Recommendation: Approve. (Ord. 2010-26; Exhibit D-7-20-10)
9. Resolution Affirming the Award of Contract for Computer Programming and Engineering Services for the Water Treatment Plant SCADA System, CIP No. WS1101). Recommendation: Approve. (Res. 2010-R-31; Exhibit E-7-20-10)
10. Award of Purchase of SCADA Hardware for the Water Treatment Plant CIP No. WS1101. Recommendation: Award Purchase to Vandevanter Engineering of Fenton, Missouri, in the amount of \$34,344.24.
11. Award of Purchase of a 2010 Model Special Response Vehicle/Mobile Command Unit for the Police Department. Recommendation: Award to Mercedes-Benz of Progress Point, O'Fallon, Missouri, in the amount of \$65,954.00.

The Mayor asked if anyone would like any items removed from the Consent Agenda. Councilman Jack asked that Item 5.7 be removed; Councilman Fritzler asked that Item 5.4 be removed.

C. Wissmann moved, J. Fritzler seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.3, 5.5, 5.6, 5.8, 5.9, 5.10 and 5.11. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried.

4. Warrant for Period Ended June 14, 2010, FY 2011, Warrant #1099.

J. Fritzler moved, L. Jack seconded, that the Council approve Warrant #1099 for the period ended June 14, 2010, in the amount of \$1,378,814.62. DISCUSSION: There was discussion on whether payments to the State of Illinois could be withheld pending the receipt of payments owed to the City by the State. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. (Exhibit F-7-20-10)

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5. Ordinance Amending Title Two, Chapters One and Four, of the Carbondale Revised Code Relative to Liquor Licenses for Bed and Breakfast Establishments.

S. Haynes moved, C. McDaniel seconded, that the Council approve the Ordinance Amending Title Two, Chapters One and Four, of the Carbondale Revised Code Relative to Liquor Licenses for Bed and Breakfast Establishments. DISCUSSION: There was discussion on the provisions in the ordinance related to room service and also whether guests would be allowed to carry alcohol out into the yard, porches, etc.. It was agreed that clarification and perhaps modification to the ordinance was needed and that the ordinance should be brought back at the next City Council meeting. The motion and second were withdrawn; there was no action taken.

### 6. General Business

1. Ordinance Approving and a Resolution Denying V.A. Beadle Trust's Request to Rezone a 1.36 Acre Parcel Located at 4 Crown Lane From RR, Rural Residential and AG, General Agriculture, to SB, Secondary Business and an Ordinance Initiating an Annexation Agreement Between the City of Carbondale and V.A. Beadle Trust

At the request of the applicant, this item was removed from the agenda.

2. Ordinance Providing for Two-Way Traffic on East College Street, Establishing Stop Signs on East College Street and Establishing "No Parking" On East College Street

C. McDaniel moved, C. Wissmann seconded, that the Council approve the Ordinance providing for two-way traffic on East College Street, establishing Stop Signs on East College Street and Establishing "No Parking" on East College Street. DISCUSSION: Speaking in opposition to the elimination of parking on East College Street were Norm Boettcher, Greg Subertowski and Nancy Cunningham. Some Council members indicated that they did not feel they had enough information and thought that additional alternatives should be considered. It was agreed that City staff should present alternatives to the Council and that the agenda item should be brought back for consideration at the next City Council meeting. The motion and second were withdrawn; there was no action taken.

3. Ordinance Approving and Resolution Denying Patterson Industries LLC Request to Rezone a 5.39 Acre Parcel Located at 1209 East Walnut Street from PUD, Planned Unit Development, to PA, Professional Administrative Office

S. Haynes moved, C. Wissmann seconded, that the Council adopt the Ordinance approving the request to rezone 5.39 acres located at 1209 East Walnut Street from PUD, Planned Unit Development, to PA, Professional Administrative Office. DISCUSSION: Don Monty, 418 South Giant City Road, offered some history on the property and associated drainage issues. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-27; Exhibit G-7-20-10)

### 7. Council Comments

There were no Council comments.

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### 8. Closed Meeting

C. Wissmann moved, J. Fritzler 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, 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 and to conduct the semi-annual review of closed meeting minutes pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5), (c)(6), (c)(11) and (c)(21). VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:40 p.m..

C. Wissmann moved, J. Fritzler seconded, that the Council return to open session. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: None. Motion declared carried. Open session resumed at 9:00 p.m..

S. Haynes moved, M. Pohlmann seconded, that the City Council that the Council: (1) approve the minutes of the closed meetings held on July 21, August 18, September 1, October 6, November 3, 2009, and January 19, February 9, March 2, March 23, May 18 and June 22, 2010; (2) 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, 2003 and the unreleased portions of the minutes of September 16, October 21, November 4 and December 16, 2003; the closed meeting minutes of 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, March 3, April 9, July 21, August 18, September 1, October 6, November 3, 2009; and January 19, February 9, March 2, March 23, May 18 and June 22, 2010; and (3) in accordance with the Illinois Open Meetings Act, authorize the destruction of audiotapes of the closed meetings held on February 12, March 31, April 21, May 6, May 7, May 8, May 12, July 8, and August 5, 2008, and January 13, 2009 (meetings which were held more than 18 months ago). VOTE: Ayes: S. Haynes, L. Jack, J. Fritzler, C. McDaniel, M. Pohlmann and B. Cole. Nays: C. Wissmann. Motion declared carried.

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

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**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:02 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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