

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**September 7, 2010**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, September 7, 2010, 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: Councilman Lance Jack, Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes and Mayor Brad Cole

Absent: Councilman Joel Fritzler

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 Councilman Fritzler had notified the City Council that he would be unable to attend this meeting.

**2. General Announcements and Proclamations**

Mayor Cole noted that City Offices had been closed on Monday, September 6, in observance of Labor Day and that all City refuse collection routes would be pushed back one day this week.

City Clerk Janet Vaught read a press release announcing that the Human Relations Commission would be sponsoring a seminar entitled "Using Non-Violent Communication for Building Community" on Monday, September 13th. The presenter will be Derrick Williams, Ph.D. of the SIUC Student Health Service's Wellness Center.

Mayor Cole proclaimed September 19-25, 2010, as Diabetes Awareness Week. Councilman Wissmann announced a fund-raising event on Sunday, September 19, at 7:00 p.m. at Copper Dragon to benefit Brian R. Powell, WDBX Station Manager, to help with costs associated with diabetes-related medical conditions.

**3. Citizen Comments and Questions**

B. L. Wiley, 1400 North Illinois Avenue Lot 28, expressed her objection to the water service being turned over to the landlord of the Crossings Mobile Home Park without any notification to the residents of the park. Assistant City Manager Kevin Baity explained the discussions with the owner of the mobile home park which resulted in the changeover to a single water meter to serve the entire park.

Alan Asp, 2621 North 13th Street, Herrin, said he has two properties in Carbondale for which he has received citations for the lots not being mowed. He said he paid the citation by mail but was then notified that he had to appear in court. Mr. Asp said that the directions for payment that were included on the citations were confusing. Mr. Asp said he also previously addressed the Council concerning a City tree in the right-of-way that was causing

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trouble on his property. According to Asp, City Manager Gill said the tree would be addressed, but it remains in the same mess that it was after May 8th. Mayor Cole asked Mr. Asp to discuss these issues with City Attorney Michael Kimmel, adding that Mr. Kimmel will then report to the Mayor and the City Manager about the issues. Mr. Asp said he would prefer to meet with the Council; Mayor Cole said individual Council members can meet with Mr. Asp if they choose to do so.

Donald Monty, 418 South Giant City Road, noted that there had been an accident prior to this meeting close to his home on Giant City Road, adding that there seem to have been more accidents recently. He stated that the speed limit is too high between Walnut Street and Dogwood Road and asked that the City look at the accident history and conduct a speed study to determine whether the speed limit needs to be adjusted. Mayor Cole said that Public Works Director Beth Ponce will be asked to provide information to the City Council.

Sarah Jackson, 1400 North Illinois Avenue Lot 433, said that originally the cost of water was included with their lot rent. However, they each had to pay for a new water meter to be installed when service was taken over by the Carbondale water department. She asked if since the Carbondale water department is no longer going to provide the service whether the money they had to pay to install the meter was going to be refunded to them. Mayor Cole noted that all the water deposits were refunded but said that the City's Finance Director, Ernie Tessone, will get back with Ms. Jackson regarding refunds for the meters that were installed.

#### 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 August 3, 2010. Recommendation: Approve.
2. Warrant for Period Ended July 26, 2010, FY 2011, Warrant #1102. Recommendation: Approve in amount of \$1,876,997.55. (Exhibit A-9-7-10)
3. Warrant for Period Ended August 9, 2010, FY 2011, Warrant #1103. Recommendation: Approve in amount of \$908,935.56. (Exhibit B-9-7-10)
4. Acceptance of Minutes of Boards, Commissions and Committees: Recommendation: Accept Board of Fire and Police Commissioners of July 27, 2010; Carbondale Public Library Board of Trustees of July 14, 2010; Fire Fighters Pension Fund Board of Trustees of May 12, 2010; Human Relations Commission of April 5, 2010; Planning Commission of July 7, 2010; Police Pension Fund Board of Trustees of June 22, 2010; Preservation Commission of July 19, 2010 and Sustainability Commission of June 17, 2010.
5. Appointment to Boards and Commissions. Recommendation: Concur in Mayor's appointment of Benjamin Wasson as USG Representative to the Carbondale Information and Telecommunications Commission through June 30, 2011; reappointment of Steven Haynes to the Carbondale Convention and Tourism Bureau through April 30, 2013; reappointment of Regge Walker to the Building Board of Appeals through May 1, 2012; appointment of Hugh Muldoon as Chair of the Human Relations Commission through April 15, 2013; and reappointment of Adrian Miller as CCHS Representative to the Sustainability Commission through May 1, 2012.

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6. Acceptance of Planning Commission's Annual Report for Fiscal Year 2010. Recommendation: Accept and place on file.
7. Action on an Application for an Encroachment Permit to Allow Dan Terry to Utilize an Existing Alley Adjacent to a New Parking Lot on East Monroe Street. Recommendation: Approve.
8. Award of Contract for the Northwest Wastewater Treatment Plant Equalization Basin, CIP No. WW0401. Recommendation: Award to S.M. Burkey Construction, Inc. of Murphysboro in the amount of \$1,050,330.00
9. Award of Purchase of Filter Box for the Water Plant. Recommendation: Award to Vandevanter Engineering of Fenton, Missouri, in the amount of \$81,500.00.
10. Award of Contract for On-Line Water Quality Meters for the Water Plant. Recommendation: Award to Ressler and Associates of Ballwin, Missouri, in the amount of \$46,950.00.
11. Resolution Approving Lone Oak Estates 3rd Plat and Subdivision Agreement Located on Red Oak Drive. Recommendation: Approve. (Res. 2010-R-34; Exhibit C-9-7-10)
12. Resolution Authorizing the City Manager to Enter Into a Contract with Carbondale Veneer Company, Inc., for Removal of Trees From Water Treatment Plant Property. Recommendation: Approve. (Res. 2010-R-35; Exhibit D-9-7-2010)

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

C. McDaniel moved, M. Pohlmann 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 and 5.12 . VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried.

Regarding the Planning Commission Annual Report, Councilwoman Pohlmann asked that consideration be given to the role of the Planning Commission in implementing the new Comprehensive Plan and suggested that it be discussed at a future Planning Commission meeting. Mayor Cole asked that Councilman Jack, as the City Council's representative to the Planning Commission, present this suggestion at an upcoming Planning Commission meeting.

### 6. General Business

1. Ordinance Approving and Resolution Denying Budslick Investment LLC's Request to Rezone 6.18 Acres Located on 150 North Oakland Avenue from R-1-8 and R-1-5 to PUD, Planned Unit Development

Applicant Greg Budslick spoke in support of the request. Citizens speaking or asking questions about this request were: James Pope, 809 West High Street; Genevieve Houghton, 710 North Oakland; Elius Reed, 2012 South Illinois Avenue; Donald Monty, 418 South Giant City Road; Jane Adams, 606 West Elm Street; Susan Fehrenbacher, 608 West Elm Street; Roy Mazakowski, 1101 East Grand Avenue; Brad Hagy, 609 South Surrey Lane; Mary O'Hara, 906 West Schwartz Street; and Leah Agne, 905 West Linden Street.

Following City Council comments, C. Wissmann moved, M. Pohlmann seconded, that the Council adopt the Ordinance approving the request to rezone 6.18 acres located at 150 North Oakland Avenue from R-1-8 and R-1-5, Low Density Residential, to PUD, Planned Unit Development with a maximum Land Use Intensity of 4.3. DISCUSSION: Mayor Cole acknowledged receipt of correspondence from Larry Dennis and others

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regarding the development that will be included in the record. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. The Mayor acknowledged receipt of petitions submitted by James Pope in opposition to the development which would have required a supermajority vote of the Council in order to adopt the ordinance. With a vote of 6-0, the motion was declared carried. (Ord. No. 2010-29; Exhibit E-9-7-10)

2. Ordinance Approving Parkinson's Request to Designate 803 West Pecan as a Landmark District on the Carbondale Register of Historic Places

C. Wissmann moved, C. McDaniel seconded, that the Council adopt the Ordinance designating the Rogers-Parkinson home at 803 West Pecan Street as a Landmark District on the Carbondale Register of Historic Places with the proposed design standards and district boundary. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. (Ord. 2010-30; Exhibit F-9-7-10)

### 7. Council Comments

Councilwoman Pohlmann noted that several City staff and Carbondale residents attended a Disaster Preparedness Conference on August 30-31 in Paducah, Kentucky. The Conference was sponsored by the University of Illinois Extension. At the conference, Councilwoman Pohlmann gave a presentation on "Map Your Neighborhood," the neighborhood disaster preparedness program that the City of Carbondale has adopted. The presentation was very well received and there have been several requests to hold training sessions for trainers so that the program might grow. Training will hopefully begin this spring.

Mayor Cole noted that Saturday, September 11, is Patriot Day, the ninth anniversary of the attacks on our nation and our democracy. The Mayor encouraged the community to recognize the occasion appropriately.

Mayor Cole announced that the next City Council meeting is scheduled for Tuesday, October 5th.

### 8. Closed Meeting

S. Haynes moved, C. McDaniel seconded, that the City Council hold a closed meeting to discuss the appointment, employment, compensation, performance or dismissal of one or more employees; collective negotiating matters or the salary schedule for one or more classes of employees; the purchase or lease of land for use by the public body; 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 has been filed and is pending before a court or when the public body finds that an action is probable or imminent pursuant to 5 ILCS 120/2(c)(1), (c)(2), (c)(5),(c)(6) and (c)11. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session recessed at 8:28 p.m..

L. Jack moved, S. Haynes seconded, that the Council return to open session. VOTE: Ayes: L. Jack, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and B. Cole. Nays: None. Motion declared carried. Open session resumed at 9:46 p.m..

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

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**9. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 9:47 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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