

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**October 5, 2010**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, October 5, 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 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 Haynes announced that the Carbondale Branch of the NAACP would hold its Annual Banquet in the Civic Center on November 12, 2010. Tickets are available from any NAACP member.

Mayor Cole announced that due to the General Election scheduled for November 2nd, the next City Council meeting would be held on Tuesday, November 9th. He encouraged everyone to vote in the November election.

Mayor Cole announced that Trick or Treat would be held in the City of Carbondale on Sunday, October 31st, from 5:00 to 8:00 p.m.. The City of Carbondale "Pumpkin Patrol" will be out in the neighborhoods to watch over trick-or-treaters and offer assistance where needed.

City Clerk Janet Vaught announced a Flu Clinic to be held at the Civic Center on Tuesday, October 12th, from 12:00 noon to 6:00 p.m..

Mayor Cole announced the Grand Opening of the Walgreen's Store on West Main Street that had been celebrated the prior week.

**3. Citizen Comments and Questions**

Elius Reed, 2012 South Illinois Avenue, asked if a public hearing had been held on whether to seek proposals for the sale of the Eurma C. Hayes Center. Mayor Cole responded that it had been discussed by the City Council but there had not been a public hearing held. Mr. Reed asked if there had been a public hearing on whether to give the Eurma C. Hayes Center to the NAACP for free. Mayor Cole said there was no offer made as described by Mr. Reed.

Sara Jackson, 1400 North Illinois Avenue, asked if she was going to be refunded the money

## City Council of the City of Carbondale, Illinois - October 5, 2010

she paid for installation of a water meter and whether she would be allowed to remove the water meter. Mayor Cole asked Ms. Jackson to meet with Assistant City Manager Kevin Baity, City Attorney Michael Kimmel, Finance Director Ernie Tessone and Public Works Director Beth Ponce to discuss these issues.

### 4. Public Hearings and Special Reports

#### 1. Carbondale Futures Program Recognition

Recognized as participating businesses or students in the Futures Program were: Advanced Energy Solutions - Aur Beck and student John Suarez; Attucks Community Services - Abdul Haaq; Boys and Girls Club of Carbondale - Randy Osborne and Tina Carpenter and students Josh Patterson and Remie Harkins; Carbondale Chamber of Commerce - Kristin Gregory and student Teyah Bailey; Carbondale Park District - Kathy Renfro and Jane Childers and student Thomas Morrison; Common Grounds Coffee House - Jason Bourque and student Tyrone Davis, Jr.; Helia Healthcare - Gina Thompson and students Keri Boardman, Darius Claytor and Edward Pickett; Longbranch Coffeehouse - Elaine Ramseyer and student Madison Pellow; The Science Center - Tabitha Ayres and student William Kennell; Sound Core Music and Video - Joe Castrejon and student Eric Wilder; and Southern Que - Hope Logwood and LaTonya Wilder and student Brianna Wells.

### 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 September 7, 2010. Recommendation: Approve.
2. Warrant for Period Ended August 23, 2010, FY 2011, Warrant #1104. Recommendation: Approve in amount of \$1,370,739.08. (Exhibit A-10-5-10)
3. Removed from Consent.
4. Acceptance of Minutes of Boards, Commissions and Committees: Recommendation: Accept Carbondale Public Library Board of Trustees of August 11, 2010; Human Relations Commission of August 9, 2010; Liquor Advisory Board of July 1, 2010, and Sustainability Commission of August 19, 2010.
5. Obligation Retirement Resolution for the Street Improvement Program. Recommendation: Approve. (Res. 2010-R-37; Exhibit B-10-5-10)
6. Ordinance Amending Title Seven (7) Chapter One (1) of the Carbondale Revised Code as it Relates to Financial Institutions Designated as Depositories for the City of Carbondale. Recommendation: Approve. (Ord. 2010-31; Exhibit C-10-5-10)
7. Resolution Approving a Special Use Permit License for Warehouse Liquor Mart's Annual Wine and Food Expo. Recommendation: Approve. (Res. 2010-R-38; Exhibit D-10-5-10)
8. Ordinance Authorizing the Addition of a Justice Assistance Grant to the Police Department FY 2011 Budget. Recommendation: Approve. (Ord. 2010-32; Exhibit E-10-5-10)
9. Ordinance Amending Title One (1) Chapter Eleven (11) Section Six (6) of the Carbondale Revised Code as it Applies to Municipal Prosecution Fees. Recommendation: Approve. (Ord. 2010-33; Exhibit F-10-5-10)
10. Removed from Consent.
11. Resolution Approving Amendment to the Final BPL Development Plan for the Chili's

## City Council of the City of Carbondale, Illinois - October 5, 2010

Restaurant located at 1240 East Main Street. Recommendation: Approve. (Res. 2010-R-39; Exhibit G-10-5-10)

12. Resolution Authorizing the Acquisition of Real Estate in Preparation for Demolition of Unsafe Structure at 309 East Birch. Recommendation: Approve. (Res. 2010-R-40; Exhibit H-10-5-10)

The Mayor asked if anyone would like any items removed from the Consent Agenda. Councilman Fritzler removed Item 5.3. Councilman Haynes removed Item 5.10.

L. Jack moved, C. Wissmann seconded, that the Council approve Consent Agenda Items 5.1, 5.2, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.11 and 5.12. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

3. Warrant for Period Ended September 6, 2010, FY 2011, Warrant #1105

S. Haynes moved, L. Jackson seconded, that the Council Approve Warrant #1105 for the period ended September 6, 2010, in amount of \$1,370,739.08. DISCUSSION: Councilman Fritzler asked about a payment to Chartwells. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried. (Exhibit I-10-5-10)

10. Authorization to Submit Homebuyer Grant Application

S. Haynes moved, C. Wissmann seconded, that the Council authorize the City Manager to Submit an Application to the Illinois Housing Development Authority for the Homebuyer Program grant. DISCUSSION: Councilman Haynes indicated he just wished to remove this from the Consent Agenda so special attention could be brought to the program. VOTE: Ayes: J. Fritzler, C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack and B. Cole. Nays: None. Motion declared carried.

### 6. General Business

1. Resolution Commending Willie T. Broadnax for Service to the City of Carbondale

S. Haynes moved, C. McDaniel seconded, that the Council approve the Resolution Commending Willie Broadnax for Service to the City of Carbondale. 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-36; Exhibit J-10-5-10)

2. Ordinance Amending Title Four (4), Chapter Four (4), of Carbondale Revised Code to Exempt Family Owned Homes from Rental Inspection

J. Fritzler moved, S. Haynes seconded, that the Council adopt the Ordinance amending Title Four, Chapter Four, of the Carbondale Revised Code to Exempt Family Owned Homes from Rental Inspection. DISCUSSION: Councilman Wissmann and Councilwoman Pohlmann expressed their concerns about the ordinance. Councilman Haynes and Councilman Jack expressed their support for the ordinance. Sandy Litecky, 603 West Walnut Street, and Jane Adams, 606 West Elm Street, expressed their opposition to the ordinance. Mayor Cole noted that Councilwoman McDaniel had stated that she would be abstaining from the vote because she owns rental property.

VOTE ON MOTION that the Council adopt the Ordinance amending Title Four, Chapter Four, of the Carbondale Revised Code to Exempt Family Owned Homes from

**City Council of the City of Carbondale, Illinois - October 5, 2010**

Rental Inspection. VOTE: J. Fritzler, S. Haynes, L. Jack and B. Cole. Nays: M. Pohlmann and C. Wissmann. Abstentions: C. McDaniel. Motion declared carried. (Ord. 2010-34; Exhibit K-10-5-10)

**7. Council Comments**

Mayor Cole announced that there would be a meeting of the Local Liquor Control Commission immediately following this meeting.

Councilman Lance D. Jack announced his resignation from the Carbondale City Council effective immediately.

**8. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 8:07 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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