

**City Council of the City of Carbondale, Illinois**  
**Regular Meeting**  
**November 9, 2010**

The City Council of the City of Carbondale, Illinois, held a regular meeting on Tuesday, November 9, 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 7:09 p.m. with the following-named members of the City Council present/absent:

**1. Roll Call**

Present: Councilwoman Corene McDaniel, Councilwoman Mary Pohlmann, Councilman Chris Wissmann, Councilman Steven Haynes, Councilman Joel Fritzler 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 City offices would be closed on Thursday, November 11, in observance of Veterans Day. Thursday's refuse collection will be pushed back to Friday.

Mayor Cole announced that the Veterans of Foreign Wars Teeter-Carter-Watson Post 2605 would be holding its annual Veterans Day Ceremony on Thursday, November 11, at 11:00 a.m. at Veterans Memorial Plaza.

Mayor Cole noted that the Illinois Department of Transportation would be working on the improvement of the rail crossing on Walnut Street beginning on Tuesday, November 16. Vehicle traffic on Walnut Street/Illinois Route 13 Eastbound will be detoured around the work on November 16 and 17. Work on other rail crossings has not been announced.

**3. Citizen Comments and Questions**

Elius Reed, 2012 South Illinois Avenue, asked whether the City had conducted a public hearing or made a recommendation on offering the Eurma C. Hayes Center to the NAACP or the Attucks Board and whether the City had held a public hearing or made a recommendation on soliciting buyers for the Eurma C. Hayes Center. Mayor Cole responded no, adding that Mr. Reed asked the same questions at the previous City Council meeting and nothing had changed on the matter since the last meeting. Mr. Reed stated that regarding the twenty new houses in Carbondale, he has been informed that the twenty houses are Section 8 houses and that there is similar housing in Peoria about which people complain.

**4. Public Hearings and Special Reports**

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

The minutes of this Public Hearing were transcribed separately.

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### 2. Initial FY 2012 Budget Discussion

City Manager Gill presented information on increases in General Fund expenditures which will affect the FY 2012 budget. This was presented for Council information only; no Council action was necessary.

### 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 October 5, 2010. Recommendation: Approve.
2. Warrant for Period Ended September 20, 2010, FY 2011, Warrant #1106. Recommendation: Approve in amount of \$2,366,446.73. (Exhibit A-11-9-10)
3. Warrant for Period Ended October 4, 2010, FY 2011, Warrant #1107. Recommendation: Approve in amount of \$1,951,899.57. (Exhibit B-11-9-10)
4. Acceptance of Minutes of Boards, Commissions and Committees: Recommendation: Accept Board of Fire and Police Commissioners of August 24, 2010; Human Relations Commission of September 13, 2010; Liquor Advisory Board of September 27, 2010; and Planning Commission of August 18, 2010.
5. Appointments and Reappointments to Boards and Commissions. Recommendation: Concur in reappointment of Jack Tichenor to the Carbondale Information and Telecommunications Commission through June 30, 2013; reappointment of Ron Diel and James Stroud to the Community Development Loan and Grant Review Board through July 31, 2013; appointment of Sylvester Woodhouse as Undergraduate Student Government Representative and Erin Dickson to fill an unexpired term to the Human Relations Commission for terms expiring on May 31, 2011 and April 15, 2011 respectively; appointment of Corene McDaniel as ex-officio, non-voting member of the Planning Commission through May 1, 2011; appointment of Lance D. Jack to the Planning Commission and Zoning Board of Appeals to fill an unexpired term through January 31, 2012; reappointment of Robert Cavitt and Robert Ellis Jr. to the Senior Adult Services Board for terms to extend through September 30, 2013, and September 30, 2011, respectively; and appointment of Lance D. Jack to the Southern Illinois Airport Authority through May 1, 2011.
6. Award of Contract for Water Tower Renovation. Recommendation: Award contract for Chautauqua Water Storage Tank renovation, painting and maintenance to Utility Service Company Inc. of Perry, Georgia, in the amount of \$370,470.00.
7. Approval of Pump Purchase for the Bradford Pear Lift Station. Recommendation: Award purchase of a Flyght NP 3153 - 20hp pump to Vandevanter Engineering of Fenton, Missouri in the amount of \$11,168.00 and approve a Budget Adjustment in the amount of \$6,086 to transfer funds from fund balance to the Sewerage Lift Stations Budget for the purchase of the pump.
8. Award of Purchase of Computer Equipment for the Police Department. Recommendation: Award the purchase of two mobile computer systems and two mobile video systems from Hub-Data 911 Mobile Computer Systems of Alameda, California, in the amount of \$22,500.00.
9. Ordinance Authorizing the Addition of Secure Our Schools Grant, Child Passenger Safety Grant and Violent Crimes Victim Assistance Program Grant to the Police Department FY 2011 Budget. Recommendation: Approve. (Ord. 2010-35; Exhibit C-11-9-10)

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10. Award of Contract for the Demolition of Property Located on Birch Street, Sycamore Street and Carico Street. Recommendation: Award contract to Gary Maier of Vienna, Illinois, in the amount of \$8,842.00.
11. Ordinance Authorizing a Budget Adjustment for the Increase in the Overall Fiscal Year 2011 Budget for the Water and Sewerage Fund and Award of Contract for Water and Sediment Control Basin and Gully Stabilization Project for CIP No. SW0402. Recommendation: Award contract to Ferky's of Herrin, Carterville, Illinois, in the amount of \$96,604 and approve Ordinance approving the Budget Adjustment. (Ord. 2010-36; Exhibit D-11-9-10)

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

C. McDaniel moved, C. Wissmann 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 and 5.11. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

**6. General Business**

1. Resolution Approving Egyptian Electric Cooperative Association's Request for a Special Use Permit to Allow an Electrical Substation in an AG, General Agriculture District

M Pohlmann moved, C. Wissmann seconded, that the Council adopt the Resolution approving the request for a Special Use Permit allowing an electrical substation in the AG, General Agriculture, District, at 989 Airport Road. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler and B. Cole. Nays: None. Motion declared carried. (Res. 2010-R-41; Exhibit E-11-9-10)

2. Ordinance Approving and 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

Speaking in support of the rezoning application were Don Prosser, Attorney representing the V.A. Beadle Trust, and Tony Goodin, an employee of a business (unidentified) located near the subject property. Speaking in opposition to the rezoning were Robert Henderson, 7 Robin Road; Lynda Martin, 7 Robin Road; Mary O'Hara, 906 West Schwartz; Lisa Barnes, 3412 S. Illinois Avenue; Priscilla Pimentel, 600 West Pecan; Jim Ferraro, 3551 South Illinois Avenue, Bonnie Nalley, 3659 Boskeydell Road; Nikki Bilderback, 420 Rowan Road, Makanda; Scott McDathron, 461 Union Grove Road; Hugh Muldoon, 700 West Elm; Jane Adams, 606 West Elm; Brent Ritzel, 2511 S. Illinois Avenue; Jane Childers, 383 Robin Road; Bruce Wahaib, (no address given); and Attorney Michael Dahlen in representation of some of the neighbors in the vicinity of the subject property.

Mayor Cole noted that the City Council had also received letters, emails and telephone calls regarding the rezoning which will be maintained in the official record.

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Following Council discussion, C. McDaniel moved, C. Wissmann seconded, that the Council adopt the Ordinance approving the request to rezone 1.36 acres located at 4 Crown Lane from RR, Rural Residential, and AG, General Agriculture, to SB, Secondary Business. VOTE: Ayes: C. McDaniel and B. Cole. Nays: M. Pohlmann, C. Wissmann, S. Haynes and J. Fritzler. Motion declared defeated.

M. Pohlmann moved, J. Fritzler seconded, that the Council adopt the Resolution denying the request to rezone 1.36 acres at 4 Crown Lane from RR, Rural Residential, and AG, General Agriculture, to SB, Secondary Business. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes and J. Fritzler. Nays: B. Cole. Motion declared carried. (Res. 2010-R-42; Exhibit F-11-9-10)

Due to the failure of the Ordinance approving the rezoning, there was no action taken on the Ordinance Authorizing the Execution of the Annexation Agreement with V.A. Beadle Trust.

### 7. Council Comments

There were no Council comments.

### 8. Closed Meeting

S. Haynes moved, M. Pohlmann seconded, that the 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 selection of a person to fill the vacancy on the City Council; 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)(3), (c)(5), (c)(6) and (c)(11). VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler and B. Cole. Nays: None. Motion declared carried. Open session recessed at 9:38 p.m..

C. McDaniel moved, J. Fritzler seconded, that the Council return to open session. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler and B. Cole. Nays: None. Motion declared carried. Open session resumed at 10:20 p.m..

### 9. Action on any Required Elements of Closed Meeting

M. Pohlmann moved, C. McDaniel seconded, that the City Council appoint Michael G. Neill to the City Council vacancy for a term to extend through May 3, 2011. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

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**10. Adjournment**

There being no further business to come before the City Council, the meeting was declared adjourned at 10:21 p.m..

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Janet M. Vaught, City Clerk

Approved by the City Council on:

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