

CITY COUNCIL MINUTES

Monday, October 20, 2014

On Monday, October 20, 2014, the City Council of the City of Decatur, Illinois, met in Regular Meeting, Study Session and Closed Executive Session at 5:30 p.m., in the Council Chambers, One Gary K. Anderson Plaza, Decatur, Illinois. Mayor Michael T. McElroy presided; together with him being Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe and Dana M. Ray. Seven members were present. Mayor McElroy declared a quorum present.

City Manager, Ryan P. McCrady, attended the meeting as well.

Mayor McElroy led the Pledge of Allegiance to the Flag.

The minutes of the meeting of October 6, 2014, were presented. Councilman Pat McDaniel moved the minutes be approved as written; seconded by Councilman Larry W. Foster, and on call of the roll, Councilmen Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray and Mayor McElroy voted aye. Councilman Jerry J. Dawson abstained. The Mayor declared the motion carried.

This being the time set aside for unfinished business and there being no unfinished business, the Mayor proceeded to New Business. There were no proclamations or Mayor's recognitions. Mayor McElroy introduced Sue Lawson, President of CONO. Ms. Lawson introduced Jason Butterick of Clokey Park Neighborhood who spoke about Prairie Avenue Christian Church's "Miracle Day". The next scheduled "Miracle Day" is August 29, 2015. Ms. Lawson provided the following list of upcoming events in the community: Torrence Park Neighborhood - October 24, 25, and 26th fall celebration with a "Celebrating Survivors Walk" on October 25th at

10 a.m.; CONO Awards Banquet - October 28th at 6 p.m. at First Presbyterian Church; GM Square Neighborhood - Fall Festival - October 25th at 12 noon at Monroe Park; Galloway Park Neighborhood - Fall Festival - October 25th from 1 - 3 p.m.; Torrence Park Neighborhood - Trunk or Treat event - October 31st from 5 - 8 p.m.; Fansfield Neighborhood - Trunk or Treat event - October 31st from 6 - 8 p.m.; Park City Neighborhood - Trunk or Treat event - October 31st; Clokey Park Neighborhood - Fall Festival - October 31st with Trunk or Treat at 2 p.m. and Chili dinner at 3 p.m.; Neighborhood Walk at 5:30 p.m.; and Thursday, October 23, 2014 – Holiday Hills Neighborhood.

2014-53 Ordinance Annexing Territory – 2206 Dunes Drive, was presented.

Councilman Julie Moore-Wolfe moved the Ordinance do pass; seconded by Councilman Jerry J. Dawson. On call of the roll, Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried.

2014-54 Ordinance Annexing Territory – 1355 West Rock Springs Road, was presented.

Councilman Jerry J. Dawson moved the Ordinance do pass; seconded by Councilman Larry W. Foster. On call of the roll Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried.

R2014-126 Resolution Authorizing an Agreement with the Illinois Department of Commerce & Economic Opportunity to fund the Midwest Inland Port Transportation Study, was presented.

Sherry Procarione, citizen of Decatur, addressed Council and inquired if there were any other avenues for funding this project. City Manager McCrady advised one way would be to take \$250,000.00 from the City's budget, but there is not an extra \$250,000.00 in the budget to fund this project.

Councilman Larry W. Foster moved the Resolution do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried.

R2014-127 Resolution Accepting the Bid of Illinois Oil Marketing for Shear Valve and Containment Installation Project, was presented.

Councilman Jerry J. Dawson asked why the valve is not in compliance when it was in compliance last year when checked by the inspector and passed the inspection. Richard Marley, Director of Public Works, responded he did not have an answer to Councilman Dawson's question. A different inspector performed the inspection this year. Councilman Dawson stated the State needs to be consistent when inspecting.

Councilman Patrick S. Laegeler moved the Resolution do pass; seconded by Councilman Dana M. Ray. On call of the roll, Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried.

Mayor McElroy called for Consent Calendar Items A through C and asked if any Council member wished to have an item removed from Consent Calendar. Items A through C were approved by Omnibus Vote.

Councilman Patrick S. Laegeler moved that Consent Calendar Items A through C be approved by Omnibus Vote and seconded by Councilman Jerry J. Dawson and on call of the roll, Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried.

Receiving and Filing Minutes of City Boards and Commissions;

R2014-128 Resolution Accepting Bid of Clean Sweep Tree Service, for Tree and Bush Removal along Lost Bridge Road Westbound, Water City Project 2014-11; and

R2014-129 Resolution Authorizing Action Regarding Unsafe Structures.

This being the time for Appearance of Citizens the following citizens appeared:

Ralph G. Johnson, citizen of Decatur, provided written materials from the EPA to Council with regard to sound and distance. City Manager McCrady asked Mr. Johnson if he wanted to wait to address Council under the Study Session item instead of under Appearance of Citizens so if needed, staff or Council could respond. Mr. Johnson agreed to wait to address Council under the Study Session. Sherry Procarione, Decatur resident, stated she did not understand why the water percentage rates are higher for companies. Companies would naturally use more water than a resident which would make their use and bill higher. She stated everyone should be paying the percentage.

Mayor McElroy proceeded to Other Business. There were no comments under other business.

Councilman Jerry J. Dawson moved to recess to study session for the Treasurer's Financial Report and Review of the City's Vehicle Noise Ordinance; seconded by Councilman Julie Moore-Wolfe and on call of the roll, Councilmen Jerry J.

Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray and Mayor McElroy voted aye. The Mayor declared the motion carried.

City Manager McCrady provided a brief history of the City's vehicle noise ordinance. The following citizens appeared:

Ralph G. Johnson, citizen of Decatur, provided an overview of the handout with regard to noise from the EPA;

Lisa Creason, citizen of Decatur, stated there should be a noise ordinance. She requested Council review the penalty section of said ordinance. She is not in favor of the confiscation of the car. She provided the following written materials to Council: 2012 Statistics by the U.S. Department of Transportation and an Athens County Job Family Services Report.

DeAngelo Wheeler, citizen of Decatur, stated he supports a noise ordinance, however, confiscation of the car involved should not take place until the 3rd offense.

The following citizens provided their names in support of Lisa Creason and DeAngelo Wheeler's statements: Brandon Stovel, Eddie McKnight, John Taylor, Mike Smith, Eddie McKnight, Sr., Charles King, Minnie Walker, Nitaka Bobbit, and Lisa Stanley. Mayor McElroy thanked them for taking the time to come to the Council meeting and for their remarks.

Sherry Procarione suggested basing the penalty on the number of infractions.

James Root, citizen of Decatur, stated he felt noise coming from vehicles should be addressed through issuance of a State citation and the penalty of impounding a car through the City's noise ordinance is inappropriate.

Discussion took place among Council members and staff. City Manager McCrady advised he would review the ordinance, look for ways to track offenders, try to come up with a multiple tier for fines as well as investigate what penalties other comparable cities currently impose for said violation.

Gregg Zientara, Director of Finance, provided the Treasurer's report.

Councilman Pat McDaniel moved to recess to closed executive session for the purpose of a discussion regarding the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body; seconded by Councilman Jerry J. Dawson and on call of the roll Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the motion carried. Council went into closed executive session at 6:45 p.m.

There being no further business, Councilman Jerry J. Dawson moved the regular Council meeting be adjourned; seconded by Councilman Julie Moore-Wolfe, and on call of the roll Councilmen Jerry J. Dawson, Larry W. Foster, Patrick S. Laegeler, Pat McDaniel, Julie Moore-Wolfe, Dana M. Ray, and Mayor McElroy voted aye. The Mayor declared the Council meeting adjourned at 7:21 p.m.

Approved November 3, 2014
Linda M. Swartz
City Clerk