CITY COUNCIL MINUTES
Tuesday, September 8, 2015

On Tuesday, September 8, 2015, the City Council of the City of Decatur, Illinois, met in Regular Meeting at 5:30 p.m., in the Council Chambers, One Gary K. Anderson Plaza, Decatur, Illinois.

Mayor Julie Moore Wolfe presided; together with her being Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Bill Faber. Six members were present. Mayor Moore Wolfe declared a quorum present.

City Manager Tim Gleason, attended the meeting as well.

Mayor Moore Wolfe led the Pledge of Allegiance to the Flag.

The minutes of the City Council meeting of August 17, 2015 and Special City Council meetings of August 10, 2015 and August 31, 2015 were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

This being the time set aside for unfinished business and there being none, Mayor Moore Wolfe proceeded to New Business.

This being the time set aside for Proclamations and Recognitions Mayor Moore Wolfe asked Cheryl Chamblin with Stephen Decatur Chapter DAR to the podium to read a Proclamation declaring September 17 – 23, 2015, as Constitution Week in Decatur, Illinois.

2015-44 Ordinance Adding Territory to Enterprise Zone Horve Hospitality Managements, Inc.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Dana Ray. Councilman Bill Faber asked what the justification for the addition of the property for the enterprise zone was. Assistant City Manager Billy Tyus said that purpose is to encourage economic development. Mr. Tyus explained that the requestor asked for access to use the tools available in an enterprise zone. Councilman Bill Faber believed that part of town would grow on its own without the perks of an enterprise zone. Mr. Faber thought the incentives should be saved for other projects that need the incentives to move forward. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Moore Wolfe voted aye; Councilman Bill Faber voted nay. Five ayes and one nay; Mayor Moore Wolfe declared the motion carried.

R2015-103 Resolution Approving a Consent Order to Settle All Claims in a Citizens' Complaint Filed with the Illinois Pollution Control Board by the City and Other Units of Local Government Against Clinton Landfill, Inc.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Dana Ray. Corporate Counsel Wendy Morthland reviewed the history of the Mahomet Aquifer and Clinton Landfill litigation and political happenings. Corporate Counsel Morthland explained what actions could be taken in the future if toxins are ever found to be polluting the aquifer. Citizen Walt Wessell expressed his concerns that the consent decree locked in the 30,000 tons of manufactured gas plant waste in the landfill

and the City cannot sue the company if the waste leaks in to the water system. Sister JoAn Schullian spoke in favor of protecting the Mahomet Aquifer from the 30,000 tons of manufactured gas waste by the Council not signing the consent decree. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

R2015-104 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt Inc. D/B/A Dunn Company for Mound Center Parking Lot Rehabilitation, City Project 2015-06

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

R2015-105 Resolution Authorizing Binder Coverage with Arthur J. Gallagher Risk Management Services, Inc. and Accepting Proposals of AIX Hanover, Liberty Mutual and Travelers Indemnity Company

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Dana Ray. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

Mayor Moore Wolfe called for Consent Calendar Items A through F and asked if any Council member wished to have an item removed from Consent Calendar. Councilman Pat McDaniel requested Item C. be removed and Councilman Bill Faber requested Item F. be removed. The Clerk read Items A, B, D and E:

A. Receiving and Filing of Minutes of Boards
B. 2015-45 Ordinance Amending City Code Chapter 52 – Alcoholic Liquor
D. 2015-46 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way Decatur Area Arts Council Brew Ha Ha
E. 2015-47 Ordinance Designating Local Landmarks for Monarch Butterfly Monument at Dennis School

Councilman Jerry Dawson moved that Consent Calendar Items A, B, D and E be approved by Omnibus Vote; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

C. 2015-48 Ordinance Amending City Code Chapter 47 – Control of Animals, Fowl and Dogs

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Lisa Gregory. Councilman Pat McDaniel wanted the public to understand the amendment made Chapter 47 a stronger City Code. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

F. R2015-106 Resolution Authorizing Approval of Quote of CDW Government (CDW-G) for Microsoft Exchange Server 2013 Licenses

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Lisa Gregory. Councilman Bill Faber asked if the expense could be deferred for one year. The expense could not be deferred. On call of the roll,

Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried.

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

Russell Shulke shared his concerns in regards to the City postponing taking care of the infrastructure until forced into taking action.

Students from Dennis School invited the Council to attend the Landmark Dedication on October 1, 2015 at 1:30 p.m., at Dennis School.

Bob Renton introduced himself to Council and expressed his interest in being considered for the vacant Council seat.

Mike Smith requested Council to consider appointing G.E. Livingston to the City Council seat.

Ada Owens requested the Council fill the vacant Council seat with an African American.

Derrick Thaxton asked Council to consider appointing him to Council.

This being the time for other business, Assistant City Manager Jerry Bauer introduced two new City employees, Human Resources Manager Penny Frank and Mass Transit Administrator John Williams.

Councilman Jerry Dawson moved to recess to study session for the Administrative Compliance Order between the City of Decatur and United States Environmental Protection Agency; seconded by Councilman Dana Ray. On call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried. Corporate Counsel John Robinson gave an overview of the Illinois Environmental Protection Agency Compliance Order.

Councilman Pat McDaniel moved to recess to closed executive session for the purpose of a discussion to consider a person to fill a vacancy in public office; seconded by Councilman Jerry Dawson, and on call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the motion carried. Council went into closed executive session at 6:37 p.m.

There being no further business, Councilman Jerry Dawson moved the regular Council meeting be adjourned; seconded by Councilman Lisa Gregory, and on call of the roll Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Moore Wolfe voted aye. Mayor Moore Wolfe declared the Council meeting adjourned at 7:16 p.m.

Approved September 21, 2015
Debra G. Bright
City Clerk