

CITY COUNCIL MINUTES

Monday, August 6, 2018

On Monday, August 6, 2018, 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 Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel and Dana Ray. Seven members present. Mayor Julie Moore Wolfe declared a quorum present.

Interim City Manager Billy Tyus attended the meeting as well.

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

Mayor Julie Moore Wolfe called for Appearance of Citizens.

Ellen Hearn a representative of Beautify Decatur Coalition read a statement regarding their accomplishments in increasing community pride, making the community more attractive and a better place to live, work and play. She asked Council to help continue the journey by recruiting a City Manager that will keep beautification as a goal and will work with volunteer organizations. Ms. Hearn shared they are making an America In Bloom video and when the video is completed it could win them \$1,500 for additional beautification efforts. She asked that when the video is posted on YouTube that everybody look at the video regularly and send it to everyone they can so they can have the most posts. Mayor Julie Moore Wolfe commended all the volunteers for everything they did and hoped it continued for a long time.

Diana Pace shared her concerns about the increasing crime rate in the west end. She shared her concerns about the empty house next to her house and she would like to know who to contact or where to turn to get help.

Jimmy Taylor stated the Transfer House looked beautiful during the Decatur Celebration.

Mayor Julie Moore Wolfe called for approval of the minutes. The minutes of the July 16, 2018, City Council meeting were presented. Councilman Pat McDaniel moved the minutes be approved as written; seconded by Councilwoman Dana Ray, and on call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel and Mayor Julie Moore Wolfe voted aye. Councilwoman Dana Ray abstained. Six ayes and one abstention. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Unfinished Business, and there being none Mayor Julie Moore Wolfe called for New Business.

Mayor Julie Moore Wolfe announced that Agenda Item Number 3. Ordinance Amending City Code Chapter 53 – Ambulance Service was pulled until the next Council meeting.

Interim City Manager Billy Tyus provided the City Budget update. Interim City Manager Billy Tyus reviewed the budget deficit and possible solutions. Interim City Manager Billy Tyus responded to Council members questions regarding the budget.

Mayor Julie Moore Wolfe called for Proclamations and Recognitions. Vice President Francie Johnson of the Coalition of Neighborhood Organizations read the Proclamation declaring Tuesday, August 7, 2018, National Night Out in Decatur. Ms. Johnson invited everyone out to Hess Park on August 7th, starting at 5:00 p.m. for a going away party for crime.

2018-30 Ordinance Rezoning Property from B-1 Neighborhood Shopping District to B-2 Commercial District 1201 East Wood Street, was presented. Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2018-31 Ordinance Granting Conditional Use Permit to Allow for Mixed Use Residential and any Combination of Office and/or Commercial in One Building 5130 Hickory Point Frontage Road, was presented. Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2018-32 Ordinance Amending City Code Chapter 47 – Control of Animals, Fowl and Dogs, was presented. Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Councilman David Horn stated there was limited information in the City Code about the registration of these animals, the care of the animals being kept, the construction of the coup, the conditions and maintenance of the coup, and there was no information about the maximum number of chickens a person can have; these were a few elements that Council could consider to improve the Ordinance. Councilman David Horn made a motion to table the item; seconded by Councilman Bill Faber.

Upon call of the roll on the motion to table the item, Council members Bill Faber and David Horn voted aye. Council members Lisa Gregory, Charles Kuhle, Pat McDaniel, Dana Ray, and Mayor Julie Moore Wolfe voted nay. Two ayes and five nays. Mayor Julie Moore Wolfe declared the motion failed.

Upon call of the roll of the original motion, Council members Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Councilman

Bill Faber voted nay. Six ayes and one nay. Mayor Julie Moore Wolfe declared the motion carried.

2018-33 Ordinance Amending City Code Chapter 52 – Alcoholic Liquor, was presented. Councilwoman Dana Ray moved the Ordinance do pass; seconded by Councilman Pat McDaniel.

Council members discussed what the impact would for commercial retail opportunities if they limited the types of liquor licenses. Councilman Bill Faber requested a study of the City's liquor licensing and see if it could not be simplified.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Councilman David Horn voted nay. Six ayes and one nay. Mayor Julie Moore Wolfe declared the motion carried.

R2018-95 Resolution Authorizing Renewal Tyler Technologies, Inc. Maintenance Support – Incode Court Case Management Suite, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2018-34 Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply by the Installation or Use of Potable Water Supply Wells or by any Other Method Within a Certain Area of Decatur, Former Circle K #3885, 801 S. Jasper Street, was presented. Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Public Works Director Matt Newell responded to Councilman David Horn's questions regarding removal of the contamination from the site.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2018-96 Resolution Authorizing an Amendment to the Performance Contract with Johnson Controls, City Project 2018-07, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

A discussion was held about the funding sources for the project and replacement of the LED bulbs.

Citizen John O'Brien shared information regarding LED bulbs long life and pay back.

Upon call of the roll, Council members Lisa Gregory, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Councilman Bill Faber voted nay.

Councilman David Horn abstained. Five ayes, one nay and one abstention. Mayor Julie Moore Wolfe declared the motion carried.

R2018-97 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Dunn Company, A Division of Tyrolt, Inc. for 2018 Local Motor Fuel Tax Street Improvement Project, (County Fair Drive), City Project 2018-26, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Councilman Bill Faber stated he was not in attendance when the Council voted on the allocation of the City's Motor Fuel Tax funds for the Love's Truck Stop project and had he been here he would have opposed it and for that reason he would vote against the item.

Upon call of the roll, Council members Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Councilman Bill Faber voted nay. Six ayes and one nay. Mayor Julie Moore Wolfe declared the motion carried.

R2018-98 Resolution Accepting the State of Illinois Bid Price of Morrow Brothers Ford Inc., for the Purchase of Six (6) 2019 Ford SUV Police Interceptors, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2018-99 Resolution Authorizing Agreement with ONB Benefits Administration, LLC dba JWF Specialty Company, Third Party Administrator of Workers Compensation Benefits, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Councilman David Horn stepped out of the Council meeting at 7:04 p.m.

Upon call of the roll, Council members Bill Faber, Lisa Gregory, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe called for Consent Calendar Items A through F and asked if any Council member wished to have an item removed from the Consent Calendar. Council members did not ask to remove any items from the Consent Calendar. The Clerk read Items A and F:

- A. Receiving and Filing of Minutes of Boards and Commissions
- B. R2018-100 Resolution Approving Appointment – Zoning Board of Appeals
- C. R2018-101 Resolution Approving Appointment – Heating, Air Conditioning and Refrigeration Commission
- D. R2018-102 Resolution Approving Appointment – Human Relations Commission
- E. R2018-103 Resolution Approving Reappointments – Human Relations Commission

- F. 2018-35 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way 100 Block North Water Street from East Main Street to South Park Street and from Prairie Avenue to East Main Street – Decatur Area Arts Council

Councilman David Horn returned to the Council meeting at 7:07 p.m.

Councilman Pat McDaniel moved Items A and F be approved by Omnibus Vote; seconded by Councilwoman Dana Ray, and on call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe called for Other Business.

Councilman Bill Faber stepped out of the Council meeting at 7:07 p.m. and returned at 7:08 p.m.

Councilman Pat McDaniel requested yard signs ordinances be enforced by City staff. Councilwoman Lisa Gregory shared she was very sad to see that someone had thrown trash onto the street after all the work America In Bloom had done. She suggested imposing a \$500 litter fine ordinance that would go through Administrative Court. Councilman David Horn stated he thought it might be time to have a Study Session on Municipal Court effectiveness and what Council intends for it to do. Councilwoman Dana Ray requested that a Neighborhood Standards Officer talk to Ms. Pace about the vacant house next to her house and the processes for dealing with that issue. Council members discussed parliamentary procedure regarding abstaining from a vote.

Mayor Julie Moore Wolfe called for Recess to Study Session for Video Gaming Fee Discussion. Councilman Pat McDaniel motioned to Recess to Study Session; seconded by Councilwoman Dana Ray.

Upon call of the roll, Council members Bill Faber, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Mayor Julie Moore Wolfe voted aye. Councilwoman Lisa Gregory voted nay. Six ayes and one nay. Mayor Julie Moore Wolfe declared the motion carried.

Interim City Manager Billy Tyus provided background information regarding the current video gaming machines in Decatur. Council members discussed raising the video gaming machines licensing fee from \$250 per machine to possibly \$500 to \$1,250 per machine. Mayor Julie Moore Wolfe asked Interim City Manager to work on an Ordinance to amend the video gaming machine licensing fee.

Mayor Julie Moore Wolfe called for an Executive Closed Session under Section 2 Open Meeting Act (c) (6) the Setting of a Price for Sale or Lease of Property Owned by the Public Body. Councilman Pat McDaniel motioned to Recess to Executive Closed Session; seconded by Councilwoman Lisa Gregory.

Councilwoman Lisa Gregory moved the regular Council meeting be adjourned; seconded by Councilman Pat McDaniel. All were in favor by voicing no objections.

Mayor Julie Moore Wolfe declared the regular Council meeting adjourned at 7:40 p.m.

Approved August 20, 2018
Debra G. Bright
City Clerk