

CITY COUNCIL MINUTES

Monday, June 5, 2017

On Monday, June 5, 2017, 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, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray and Bill Faber. Seven members present. Mayor Julie Moore Wolfe declared a quorum present.

City Manager Tim Gleason attended the meeting as well.

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

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

Prescott Paulin representing 300 Below stated Decatur's population is shrinking more than any other City in Illinois because of taxes and trains. Trains continue to block on both sides of 27th Street and there is no easy access for emergency services to get into their area. Mr. Paulin stated it was urgent to get better emergency responses throughout the community.

James Taylor congratulated City Manager Tim Gleason and the Union for the City residency requirements.

John Phillips reported that the blocking of the roads during the French Fried 5K event was handled outstandingly this year.

Eddie Caumiant stated the Union is very happy about the collaborative spirit with the City and thanked the City team.

The minutes of the May 15, 2017 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, Councilmen Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber and Mayor Julie Moore Wolfe voted aye. 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.

Proclamations and Recognitions:

Linda Gross with the Garden Club of Decatur, Illinois, read the Proclamation declaring June 4 – 10, 2017, as National Garden week.

Mark Tyus with Metro Decatur Black Chamber of Commerce read the Proclamation proclaiming Friday, June 9, 2017, Metro Decatur Black Chamber of Commerce Day.

Recognitions:

John Williams and Jerome Parker from Decatur Public Transit came before Council to present two Decatur Public Transit employees with Good Samaritan Awards. Dana Shafer and Mark Bonds were recognized for the help they provided citizens while on their bus routes. Mayor Julie Moore Wolfe thanked the transit employees on behalf of the City Council for the work they do to make the community a better place.

R2017-74 Resolution Authorizing City Manager to Execute Contract Extension with JL Hubbard Insurance and Bonds for Employee Benefit Insurance Broker and Advisory Services, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Charles Kuhle.

Councilwoman Dana Ray asked if the letter was going to have to come back to Council in two years. City Manager Tim Gleason said the two year extension from 2019 through 2021 would have to come back before Council. City Manager Tim Gleason explained the letter before Council tonight is for approval of the 2017 through 2019 two year contract period. The signature required for next year would be one he would sign as City Manager and the Council would be granting that authority upon approval tonight.

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

2017-24 Ordinance Authorizing Collective Bargaining Agreement for Pay and Benefits – AFSCME Council 31 and Local 268, General Service Employees, was presented.

Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Councilman Bill Faber congratulated City Manager Tim Gleason on the negotiation of the contract and especially on the residency clause.

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

2017-25 Ordinance Granting Non-Conforming Use Permit Expansion of Non-Conforming Contractors and Builders Use 3350 West Marietta Street, was presented.

Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Councilwoman Dana Ray stated that the combined sizes of the two buildings would be larger than the house, which was the issue. Reading through the documents there were other properties in that location that had similar structures. Councilwoman Dana Ray asked if those properties were located in the County or the City that had the larger structures. City Manager Tim Gleason stated those properties in close proximity were in the County. Councilman Charles Kuhle stated he went out and looked at this property and the other homes in this area and he didn't see a problem in this situation. Councilwoman Dana Ray asked why the surrounding structure can't be larger than the home. City Manager Tim Gleason explained this area is zoned R-1 residential. Councilwoman Dana Ray asked if the issue was that the petitioner was asking for the wrong type of zoning, does the zoning need to be something different in order to be in compliance. City Manager Tim Gleason explained that could be something City staff looked at when they looked at the land use plan, but for whatever reason at some point and time that is what staff deemed this area to be currently or staff deemed the growth in this area to be strictly residential. City Planner Suzy Stickle explained that the non-conforming use permit is allowing for the expansion of the business. It only allows them to expand the business to meet the perimeters of the zoning ordinance. They will still have to go to the Zoning Board. Councilman Charles Kuhle asked what would happen if the property changes hands. City Planner Suzy Stickle explained the non-conforming use permit, as written in the Ordinance, is only to Mr. & Mrs. Kendall.

Upon call of the roll, Councilmen David Horn, Charles Kuhle, Dana Ray, Bill Faber and Mayor Julie Moore Wolfe voted aye. Councilmen Lisa Gregory and Pat McDaniel voted nay. Five ayes and two nays. Mayor Julie Moore Wolfe declared the motion carried.

R20107-75 Resolution Authorizing Annual Service Agreement with Superion, LLC – OSSI – Decatur Police Department, was presented.

Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Dana Ray.

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

R2017-76 Resolution Authorizing Intergovernmental Agreement Establishing the Central Illinois Regional Dispatch Center, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilwoman Lisa Gregory stated a lot of coordination and collaboration went into putting this plan together. Councilwoman Lisa Gregory thanked everyone that had been a part of this plan for the work that they had done. Councilman Bill Faber asked how the dispatchers were

going to be accommodated. City Manager Tim Gleason explained that the dispatchers are no longer going to be City employees and it was of the utmost importance that the dispatchers do not lose their positions nor any of their benefits diminished. Councilman Charles Kuhle stated that the executive board is three individuals and would a quorum ever pose a problem. City Manager Tim Gleason stated he would hope not.

Eddie Caumiant stated they are very happy to be a part of making this transition into a private employer. The bargaining unit is ready to do their part in this project and happy to do it.

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

R2017-77 Resolution Authorizing Termination of Contractual Agreement with ETSB, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

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

R2017-78 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Entler Excavating Company, Inc. for 2017 Miscellaneous Sanitary & Storm Sewer Improvement Project, City Project 2017-09, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman David Horn asked if Entler had done any work that would have involved the MBE Ordinance before and were they compliant. City Manager Tim Gleason said yes they had been and exceeded at times. Councilman Charles Kuhle asked in past history what percentage over estimates had the Council decided was too much. City Manager Tim Gleason explained that sometimes we find that we are in a percentage more than what we see tonight, but in every instance we had to bring it before Council because it is work that needs to be done or equipment that needs to be purchased.

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

R2017-79 Resolution Approving the Expenditure of City Funds to Purchase Fiber Build Services for Phase 2 of the City Fiber Project from the Illinois Department of Innovation & Technology, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilwoman Lisa Gregory thanked the Buffett Foundation for their many contributions to our community.

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

2017-26 Ordinance Rezoning Property R-3 Single Family Residence District to B-1 Neighborhood Shopping District 1210 South Jasper, was presented.

Councilwoman Dana Ray moved the Ordinance do pass; seconded by Councilman Pat McDaniel.

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

2017-27 Ordinance Amending Zoning Ordinance Section XII. B-2 Commercial District, was presented.

Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

City Planner Suzy Stickle stated they are looking to allow animal kennels as a conditional use permit in the B-2 zoning district. Staff is of the opinion that having the animal kennel as a B-2 conditional use is similar to an animal hospital with an outdoor kennel not less than 100 feet to a residential district. Mayor Julie Moore Wolfe stated 100 feet did not seem that far away from a residential area. City Planner Suzy Stickle stated that because it is a conditional use permit, if Council felt in a particular situation that came before them that 200 feet made more sense in a particular area, Council could decide on a case by case basis. Councilman Bill Faber asked what was driving the change. City Planner Suzy Stickle stated there was a question about animal clinics and animal kennels and when staff looked at it they determined it made sense that it become a conditional use permit in the B-2 and match up as it is permitted in M-1 for animal clinics and animal kennels.

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

2017-28 Ordinance Amending Zoning Ordinance Section XXV, Signage, was presented.

Councilwoman Dana Ray moved the Ordinance do pass; seconded by Councilwoman Lisa Gregory.

Councilman David Horn asked if all of the billboard space on I-72 currently occupied by active number of advertisement and amount of possible billboards. City Manager Tim Gleason stated he was not sure. He said he could check and report back to Council. Councilman David Horn asked what the advantages would be in having these larger billboards. City Manager Tim Gleason said this would be consistent with some of the comparable communities in the area and there is a desirability component from some of the entities that expressed interest in building out along the interstate. Corporation Counsel Wendy Morthland explained that this is strictly for signage which is not affected by the billboard regulations. Councilman Charles Kuhle asked if Council could see some examples of the signage. City Manager Tim Gleason stated it is the typical extremely large interstate sign. Staff actually reduced the size of the signage that we brought before Council.

Chad Bruner with Love's Travels Stop shared that they have a piece of property along the interstate and they have been working with City staff to come up with the Zoning amendment. If you look at our other stores across Illinois, the signs are 1200 square feet and we are reducing that down to approximately 830 square feet here. You have to make sure a vehicle can recognize the sign, slow down, and exit the highway safely. Mr. Bruner stated that this type of Ordinance is important to their business because it allows them to be seen and be successful.

City Manager Tim Gleason stated while he appreciated Mr. Bruner stepping forward on this item and volunteering this information he wanted to make sure that we do not create the expectation that Council will know the businesses related to items like this. We have to protect the integrity of the process and if this was denied, we want to make sure we protect the City because of this known project.

Upon call of the roll, Councilmen Lisa Gregory, Charles Kuhle, Pat McDaniel, Dana Ray, and Mayor Julie Moore Wolfe voted aye. Councilmen David Horn and Bill Faber voted nay. Five ayes and two nays. Mayor Julie Moore Wolfe declared the motion carried.

2017-29 Ordinance Rezoning Property R-1 Single Family Residence District to M-1 Intense Commercial/Light Industrial District 3900 Block of County Fair Drive, was presented.

Councilwoman Dana Ray moved the Ordinance do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber 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 G and asked if any Council member wished to have an item removed from Consent Calendar. Councilman Pat McDaniel removed Item D and Councilman Bill Faber removed Item E. The Clerk read Items A, B, C, F, and G:

- A. Receiving and Filing of Minutes of Boards and Commissions
- B. 2017-30 Ordinance Amending City Code Chapter 67.1 Floodplain Protection Provisions
- C. R2017-80 Resolution Ascertaining Prevailing Rate of Wages for Construction of Public Works by Contract
- F. R2017-81 Resolution Authorizing Application and Execution of Technical Assistance Grant Contract with the Illinois Department of Transportation for Section 5305 State Planning and Research (Technical Services) Grant
- G. R2017-82 Resolution Authorizing the Execution of a Change Order Cummins Crosspoint

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

Item D. R2017-83 Resolution Authorizing Agreement for Lobbying Services Curry and Associated L.L.C., was presented.

Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman Pat McDaniel asked if consultants the City hires could give a periodic address to the Council and public to give a little more understanding of what issues municipalities are dealing with.

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

Item E. R2017-84 Resolution Approving and Determining the Need for Confidentiality of Minutes of Closed Meetings, was presented.

Councilwoman Dana Ray moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilman Bill Faber stated he was being asked to vote on this item without any idea what is in the minutes. He asked to have all the minutes tendered to him to review so he could make an informed vote.

Upon call of the roll, Councilmen 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.

Mayor Julie Moore Wolfe called for Other Business. Councilman Charles Kuhle shared that in Michigan City, Indiana there is a beautiful bridge over the interstate with a sign that says Michigan City and it is illuminated at night. He thought it would be great if there was a sign over the bridge at Interstate 72 that says Decatur – Forsyth.

Councilman Pat McDaniel stated someone might want to reach out to Mr. Paulin and tell him he might want to reach out to the ICC who is responsible for setting the laws on railroads. City Manager Tim Gleason said he would reach out to Mr. Paulin. Councilman Pat McDaniel wanted to stress that businesses work on soft skills.

Councilman Bill Faber asked if the Town Hall meeting regarding jobs had been scheduled yet. City Manager Tim Gleason stated it had not been scheduled, but there will be an Economic Development forum in July.

Councilman Bill Faber asked if the Mayor was serving as the Liquor Commissioner or had someone else been appointed to that position. Mayor Julie Moore Wolfe stated Councilman Pat McDaniel had been appointed to the position.

Councilwoman Dana Ray moved the regular Council meeting be adjourned; seconded by Councilman Charles Kuhle. Councilmen Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel, Dana Ray, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 7:22 p.m.

Approved June 19, 2017
Debra G. Bright
City Clerk