

CITY COUNCIL MINUTES

Monday, May 7, 2018

Mayor Julie Moore Wolfe was absent.

On Monday, May 7, 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 Pro Tempore Dana Ray presided, together with her being Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle and Pat McDaniel. Six members present. Mayor Pro Tempore Dana Ray declared a quorum present.

City Manager Tim Gleason attended the meeting as well.

Mayor Pro Tempore Dana Ray led the Pledge of Allegiance to the Flag.

Mayor Pro Tempore Dana Ray called for Appearance of Citizens.

Mark Tyus, owner of Euroclydon, Inc., spoke about his bid for the Motor Fuel Tax Street Improvement Project that was rejected. He would like to come to some compromise with the City to make the regulation in City Code Chapter 28 work.

Millikin Heights Neighborhood Association President Alan Duesterhaus invited Council to go to their new website MillikinHeights.org and give them feedback on the new website. Mr. Duesterhaus asked the City to change the neighborhood names on City maps to reflect Millikin Heights as the new neighborhood name and any other database referencing their old near west side name. Mr. Duesterhaus stated they are maintaining NWRAPS to rehabilitate and revitalize the City and they are open to doing houses outside of their neighborhood.

Jacob Jenkins with the Black Chambers of Commerce of Illinois read a statement in support of City Code Chapter 28.

James Taylor requested the City repair the potholes in the streets. Pot holes present a danger for motorcycle riders.

Metro Decatur Black Chamber Chairman Pat West read a statement regarding minority participation in City contracts. Mrs. West recommended a task force be put together to review City Code Chapter 28 in order to reach its goals. She requested Council table the Dunn contract and take another review.

Mayor Pro Tempore Dana Ray called for approval of the minutes.

The minutes of the April 16, 2018, Council meeting were presented. Councilwoman Lisa Gregory moved the minutes be approved as written; seconded by Councilman Pat McDaniel, and on call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat

McDaniel and Mayor Pro Tempore Dana Ray voted aye. Mayor Pro Tempore Dana Ray declared the motion carried.

This being the time set aside for Unfinished Business and there being none, Mayor Pro Tempore Dana Ray called for New Business.

City Manager Tim Gleason provided the City's budget update. Mr. Gleason reviewed the deficit breakdown and presented solutions to reduce current costs. Mr. Gleason responded to Council members' comments and questions.

Mayor Pro Tempore Dana Ray called for Proclamations and Recognitions.

Niki Fenderson with Robertson Charter School read the Proclamation proclaiming May 7, 2018 through May 11, 2018 as Decatur's Charter School Week.

Angie Miller read the Proclamation proclaiming Saturday, May 12, 2018 as National Association of Letter Carriers Food Day Drive.

R2018-39 Resolution to Appropriate Motor Fuel Tax Funds for Traffic Signal Maintenance and Street Maintenance by Municipality under the Illinois Highway Code, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

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

R2018-40 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Homer Tree Care, Inc., for Removal of Trees on Various City Rights of Way was presented. Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman Pat McDaniel asked if any of the subject property belonged to the Park District. City Manager Tim Gleason stated no. Councilman Charles Kuhle asked if any other contractors picked up a packet. City Manager Tim Gleason stated that Romer Brothers did.

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

R2018-41 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Homer Tree Care, Inc. for Removal of Trees and Brush along William Street Embankment, was presented. Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman David Horn asked if the trees and brush that are being removed along the lake for shoreline protection, if the protection was from erosion. Public Works Director Matt Newell stated that when a large tree falls it could take a large chunk of soil that could imperil the erosion that could occur. Councilman David Horn asked if there were plans to revegetate these areas. Mr. Newell stated that they leave the grass that is already established.

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

R2018-42 Resolution to Approve an Intergovernmental Agreement with the Sanitary District of Decatur for the Wildwood Sanitary Sewer Repairs, City Project 2018-06, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilman David Horn asked if the amount of money being allocated was to protect the sewer lines or to prevent the erosion. City Manager Tim Gleason stated it was to restore and protect. Councilman David Horn asked if the City knew what the cause of the erosion was in this particular area. Public Works Director Matt Newell stated he couldn't say directly what was causing the increased erosion in this particular location. Through the years as the City developed there is more storm water that exits the City. Councilman Charles Kuhle asked if this was a common occurrence or is this rare what has happened there. Mr. Newell stated it was not uncommon, but it doesn't happen all the time.

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

R2018-43 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Burdick Plumbing & Heating Company, Inc., for 2018 Annual Water Main Replacement Project, City Project 2018-10, was presented. Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman David Horn asked if Burdick Plumbing would meet the goal of 10% MBE subcontractor goal and 18% of the total hours worked by minority workers. City Manager Tim Gleason stated they submitted what was required in the bid to make a good faith effort and then it would become the City's responsibility to keep an eye on the project.

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

R2018-44 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt, Inc., d/b/a Dunn Company for 2018 Local Motor Fuel Tax Street Improvement Project, City Project 2018-25, was presented. Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman Bill Faber asked if there would be any harm to the City or the project by postponing the item two weeks. City Manager Tim Gleason was not sure postponing two weeks would make a difference. Mr. Gleason recommended Council pass the Resolution. Councilman David Horn stated that only about 1.6% of the work will be done by MBE contractors. Councilman David Horn asked City Manager Tim Gleason if he could confirm that Dunn Company provided documentation that it made a good faith effort to reach 10% and describe it. City Manager Tim Gleason stated that Dunn Company did everything that they were supposed to do.

David Tyrolt with Dunn Company shared information with Council regarding their good faith effort to build minority work forces and contracting companies. Dunn Company reached out to 25 companies for quotes for this specific project and 19 either did not respond or declined to provide a quote. Dunn Company selected three of the six quotes submitted as providers for the project. Two of the others that provided quotes were not the lowest responsible bidders to Dunn Company. One contractor was not selected because they did not meet the qualifications to work for Dunn Company. Mr. Tyrolt responded to Council members questions.

Mark Tyus appealed to Council to postpone the item two weeks.

Mayor Pro Tempore Dana Ray asked Public Works Director Matt Newell about the time line for the project. Mr. Newell stated the pre-bid meeting was April 11, 2018 and the bids were due on April 26, 2018.

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

R2018-45 Resolution Approving Amendment to the Professional Services Agreement with Quetica, LLC, for the Decatur Supply Chain Study, City Project 2014-06, was presented. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilman David Horn motioned to amend the Resolution that DUATS will provide \$70,000 for the study; seconded by Councilman Bill Faber. Upon call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel and Mayor Pro Tempore Dana Ray voted aye. Mayor Pro Tempore Dana Ray declared the motion to amend the Resolution carried.

City Manager Tim Gleason asked to confirm what was approved for the funding for the Agreement; is it no action required by Council again but it is contingent on \$70,000 funding provided by DUATS. Councilman David Horn stated it was contingent upon funding of \$70,000, that the City would pay \$3,860, as for Macon County they would pay 50% of the \$3,860. Mayor Pro Tempore Dana Ray asked the City Clerk to read the amendment. City Clerk Debra Bright stated that Councilman David Horn motioned to amend the Resolution that DUATS will provide \$70,000 for the study.

Corporation Counsel Wendy Morthland clarified that the Resolution as amended is with language added to Section 1 after \$73,860, in the second to last sentence, the language contingent upon DUATS reimbursing the City in the amount of \$70,000 for a total not to exceed \$362,390. Mayor Pro Tempore Dana Ray stated the whole point to Councilman Horn's statement was to reinsure that we are reimbursed the \$70,000 from DUATS.

City Clerk Debra Bright presented the Resolution as Amended to the Professional Services Agreement with Quetica, LLC, for the Decatur Supply Chain Study, City Project 2014-06 as amended to add language to Section 1 as follows, after \$73,860, the language will be, contingent upon DUATS reimbursing the City in the amount of \$70,000 for a total not to exceed \$362,390. Councilman Pat McDaniel moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Upon call of the roll, Council members Bill Faber, David Horn and Mayor Pro Tem Dana Ray voted aye. Council members Lisa Gregory, Charles Kuhle and Pat McDaniel voted nay. Three ayes and three nays. The motioned failed.

Mayor Pro Tempore Dana Ray called for roll call on the original motion on the floor - Resolution Approving Amendment to the Professional Services Agreement with Quetica, LLC, for the Decatur Supply Chain Study, City Project 2014-06.

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

Resolution Supporting and Authorizing Expenditures of City Funds – Forsyth Classic, was presented. Councilman Charles Kuhle moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Cindy Deadrick Wolfer addressed the benefits and opportunities of being a sponsor of the Forsyth Classic.

Council members shared their comments and concerns regarding the Forsyth Classic funding. Councilman David Horn motioned to amend the Resolution from the proposed amount of \$20,000 to \$15,000; seconded by Councilman Bill Faber.

Upon call of the roll, Council members Bill Faber and David Horn voted aye. Council members Lisa Gregory, Charles Kuhle, Pat McDaniel, and Mayor Pro Tempore Dana Ray voted nay. Two ayes and four nays. Mayor Pro Tempore Dana Ray declared the motion failed.

Mayor Pro Tempore Dana Ray called for the roll of the original Resolution. Upon call of the roll, Council members Lisa Gregory, David Horn and Charles Kuhle voted aye. Council members Bill Faber, Pat McDaniel and Mayor Pro Tempore Dana Ray voted nay. Three ayes and three nays. Mayor Pro Tempore Dana Ray declared the motion failed.

Mayor Pro Tempore Dana Ray called for Consent Calendar Items A through H and asked if any Council member wished to have an item removed from the Consent Calendar. The Clerk read Items A and H:

- A. Receiving and Filing of Minutes Boards and Commissions
- B. R2018-46 Resolution Approving Reappointments – Construction and Housing Board of Appeals
- C. R2018-47 Resolution Approving Reappointments – Electrical Commission
- D. R2018-48 Resolution Approving Reappointments – Heating, Air Conditioning and Refrigeration Commission
- E. 2018-12 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way 100 Block South Oakland Avenue Lock Stock & Barrel Bike Night May 10, 2018
- F. 2018-13 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way 100 Block South Oakland Avenue – Lock Stock & Barrel Bike Night August 9, 2018
- G. 2018-14 Amended Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way and in Central Park Decatur Smokin’ BBQ Festival
- H. 2018-15 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way and in Central Park Decatur Celebration, Inc. French Fried 5K & Street Party

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

Mayor Pro Tempore Dana Ray called for Other Business. Councilman Pat McDaniel thanked City staff for a great City wide cleanup event last Saturday. Councilman Pat McDaniel suggested authorizing City staff to start asking for identification from participants at the cleanup to verify they live in Decatur.

With no other business, Mayor Pro Tempore Dana Ray called for adjournment. Councilman Pat McDaniel moved the Council meeting be adjourned; seconded by Councilwoman Lisa Gregory, and on call of the roll, Council members Bill Faber, Lisa Gregory, David Horn, Charles Kuhle, Pat McDaniel and Mayor Pro Tempore Dana Ray voted aye. Mayor Pro Tempore Dana Ray declared the motion carried.

Mayor Pro Tempore Dana Ray declared the Council meeting adjourned at 7:34 p.m.

Approved May 21, 2018
Debra G. Bright
City Clerk