

CITY COUNCIL MINUTES

Monday, April 18, 2016

On Monday, April 18, 2016, 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 Bill Faber, Lisa Gregory, Pat McDaniel, Dana Ray and Jerry Dawson. Six members present; one member absent. 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.

Councilman Chris Funk arrived at 5:32 p.m.

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

Russell Shulke thanked all those who attended to his medical needs at the April 4, 2016, Council meeting. Mayor Julie Moore Wolfe thanked Dr. Dana Ray, Fire Chief Jeff Abbott and the Fire Department for stepping in and doing what they do so well.

Kathy Wade, Environmental Health Department Director, clarified that the Macon County Health Department has never submitted any food items to Key Laboratory as stated by Mr. Stout at the last Council meeting. Ms. Wade read a statement regarding concerns with promoting the sale of uninspected food items and possibly increasing the number of food borne illnesses. The Health Department wants to protect the health of the community.

Dianna Heyer, Administrator for the Macon County Health Department, read a statement regarding why the Macon County Health Department Board decided not to move forward with the Ordinance in January 2016. Ms. Heyer said if the City Ordinance was approved it would create an unacceptable risk to the health of the community as well as liability to the Health Department. There is already a process in place for the home bakers to bake safely by becoming licensed home bakers.

The minutes of April 4, 2016 City Council meeting were presented. Councilman Pat McDaniel moved the minutes be approved as written; seconded by Councilman Jerry Dawson, and on call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson 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:

Interim Police Chief Jim Getz recognized Captain Mark Meurlot for 33 years of voluntary Police service on the Decatur Police Auxiliary Unit with a letter of appreciation and the Decatur Police Auxiliary Officer Performance Award.

Linda Hasenmyer with Decatur Sister Cities gave a report on Sister Cities accomplishment over the past few of months.

2016-19 Ordinance Adding City Code Chapter 50.2 – Home Kitchen Operations, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel.

Councilwoman Dana Ray said two issues the Health Department had were the home bakers were not licensed and the home bakers had not gone through any sanitation process. Corporation Counsel Wendy Morthland explained State law exempted the small bakeries from those two items. Councilwoman Dana Ray asked if the City could have some type of registration process. Councilman Funk said from his prospective the revenue is so low each month that any baker that exceeds that will have to be licensed. Councilman Bill Faber proposed an amendment to add food safety handling certification as a requirement; seconded by Councilwoman Dana Ray.

Citizens:

Abby Bradford asked Council to pass the Ordinance so she could continue the tradition of baking for her family.

Rhonda Scammahorn said she keeps a very clean house and asked Council to pass the Ordinance.

Holly Mowry said home bakeries allow young mothers a way to make extra income.

Sue Clark asked Council to consider the consumers rights to choice and let the citizens better their lives.

Administrator Dianna Heyer said the Health Department's goal is to protect the health of the public. Ms. Heyer wondered if the City was ready to take the complaints. The way the law is written, it says the Health Department may respond to complaints, it does not say they shall respond. Ms. Heyer said the Health Department had investigated several food borne illnesses last year. Councilman Chris Funk asked if any of the food borne illnesses were traced to home baked goods. Ms. Heyer said many times the Health Department cannot find a source because people cannot remember what they ate.

Councilwoman Lisa Gregory asked how the amendment to the Ordinance would read. Corporation Counsel Wendy Morthland proposed if it is acceptable to Councilmen Bill Faber and Dana Ray, under Subsection 2. C., after the word kitchen, add, "by a

person who has a current food handler certificate or license.” Councilwoman Lisa Gregory asked how the Ordinance would be enforced. Corporation Counsel Wendy Morthland said if the City finds out the Ordinance is not being complied with the City would follow-up. The violation would be handled through Administrative Court.

Russel Shulke was concerned about how many home bakers would be put out of business.

Kathy Wade said every person is required to have a food handler certificate.

The current Amendment proposed by Councilman Bill Faber; seconded by Councilwoman Dana Ray would read as “2. C., A notice is provided to the purchaser that the product was produced in a home kitchen by a person who has a current food handler certificate.”

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion to amend carried.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the original motion carried.

2016-20 Ordinance Approving the Transfer of Volume Cap in Connection with Private Activity Bond Issues, and Related Matters, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Councilman Bill Faber asked why this money is available. Assistant City Manager Billy Tyus explained this is not actually money, it is bonding authority to be able to bond up to the level that is given to our municipality. Councilman Bill Faber asked why the bonding level had not been utilized in our community. Assistance City Manager Billy Tyus explained the community must have a project within the first four months of the year or it goes back to the State. The bonding authority has been used for various projects throughout the region.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-42 Resolution Authorizing Municipal Displays of Public Art, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-43 Resolution Accepting Bid of Municipal Emergency Services, Inc. for Personal Protective Equipment, Decatur Fire Department, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-44 Resolution Authorizing City Manager to Execute and Enter into Annual Support and License Agreement for Tyler Technologies, Inc. MUNIS Operating System Software, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Councilman Chris Funk asked if this item was the same software system that had been discussed before and, if so, is there a plan to look at new software. Finance Director Gregg Zientara explained it is the same system. The City is looking into purchasing a new software system, but it is expensive. Councilman Chris Funk asked if it would be possible to operate the current software system without paying the support agreement. Finance Director Gregg Zientara said the City could continue to operate but there would be no software support or upgrades. Councilman Chris Funk asked how often the City utilizes software support. MIS Manager Jim Edwards said the City staff uses the support daily. Councilman Chris Funk would like to see a comprehensive plan and proposal for a new system software.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-45 Resolution to Appropriate Motor Fuel Tax Fund for Restoration of Streets and Highways by Municipality under the Illinois Highway Code, City Project 2016-08, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-46 Resolution to Appropriate Motor Fuel Tax Fund for Concrete Street Improvements by Municipality under the Illinois Highway Code, City Project 2016-11, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson 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 C and asked if any Council member wished to have an item removed from Consent Calendar.

The Clerk read Items A - C:

- A. 2016-21 Ordinance Authorizing Consumption of Alcoholic Liquor 100 Block South Oakland Avenue Between West Main Street and West Wood Street Lock Stock & Barrel / Oakwood Business Association.
- B. 2016-22 Ordinance Authorizing Consumption of Alcoholic Liquor in Central Park Annual Summer Blues Concerts.
- C. 2016-23 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights-of-Way 100 Block South Oakland Avenue Lock Stock & Barrel Bike Night.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Other Business, and there being none, Mayor Julie Moore Wolfe called to Recess to a Study Session for the Treasurer's Financial Report and the Fire Facility Study.

Councilman Jerry Dawson moved to recess to Study Session; seconded by Councilman Pat McDaniel.

On call of the roll Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Finance Director Gregg Zientara presented the City's first fiscal quarter financial report.

Fire Chief Jeff Abbott gave a presentation on where the seven Fire Stations are located in the City, the age of the facilities, the ISO grade on home owners insurance and the issues with the facilities. Architect Jonathan Tallman with Dewberry & Associates gave Dewberry's report on the Fire Facilities Assessment Study. Mr. Tallman shared a repair and maintenance facilities prioritization list. The Study recommended spending approximately \$8.1 million.

Councilman Jerry Dawson 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 Councilwoman Dana Ray, and on call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Council went into Closed Executive Session at 7:48 p.m.

There being no further business, Councilman Jerry Dawson moved the regular Council meeting be adjourned; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 8:25 p.m.

Approved May 2, 2016
Debra G. Bright
City Clerk