

CITY COUNCIL MINUTES
Monday, April 17, 2017

On Monday, April 17, 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, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Chris Funk. 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.

Mayor asked if there were no objections, she would like to move the Proclamations and Recognitions to this part of the meeting. All were in favor by voicing no objections. Mayor Julie Moore Wolfe shared this would be the last Council meeting for Councilmen Jerry Dawson and Chris Funk and Council wanted to thank them for their service. Mayor Julie Moore Wolfe presented both Councilmen with a plaque in recognition of their service and a Stephen Decatur medallion.

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

Chad Barker the founder and director of a Thicker Blue Line. Thicker Blue Line has become a necessary thing because we have police officers who are in need of new body armor. He asked the community to come together and raise \$45,000 to put new vests on the police officers to protect them.

Donna Cararra thanked Council for the street repairs done on Jasper Street.

Chairman Jacob Jenkins of the Greater Decatur Black Chamber of Commerce spoke about concerns he had with the inner City. He spoke about the rubble of bricks at the corner of Grand and Illinois and he wanted to know what the environmental impacts were at that location. He requested Council to keep in mind the entire community needs when they work on the next budget.

Ed Culp thanked Jerry Dawson for his 40 years of community service.

The minutes of the April 3, 2017 City Council meeting were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilwoman Dana Ray, and on call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Unfinished Business, Mayor Julie Moore Wolfe Motioned to Remove from the Table the Resolution Terminating an Agreement with AECOM for Design of the Brush College Road Overpass Across the Norfolk Southern Track Yard CP 2009-33; seconded by Councilman Jerry Dawson.

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

R2017-47 Resolution Terminating an Agreement with AECOM Technical Services, Inc. for Engineering Services to Prepare the Final Design Plans and Bid Documents for Brush College Road Bridge over Norfolk Southern Rail Yard South of Faries Parkway, City Project 2009-33, was presented.

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

Public Works Director Rick Marley reported on the number of accidents at the Brush College Road underpass and Brush College and Faries Parkway intersection. Councilwoman Lisa Gregory stated a year ago she requested left turn arrows at Brush College Road and Faries Parkway as a way to possibly reduce the number of accidents. Public Works Director Rick Marley explained they would have to reconstruct the traffic signals and bring them up to current standards in order to install left turn arrows. Councilman Bill Faber inquired about precluding semi-trucks from traveling through the underpass during certain hours of the day. Public Works Director Rick Marley stated that would cause enormous inconvenience to the people who are making deliveries to ADM. Councilwoman Dana Ray requested to know how many of the accidents involved semi-trucks. Councilwoman Lisa Gregory suggested reducing the speed limit on Brush College Road. Councilwoman Dana Ray suggested getting a left hand turn lane sign. Public Works Director Rick Marley said another complication at the intersection is the railroad crossing. The signs have to be approved by the Illinois Commerce Commission.

Consultant Ann Schneider shared information about the proposed road projects, land acquisitions and grant applications. Consultant Ann Schneider responded to Council members questions regarding the regarding the project cost and land acquisition.

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

Mayor Julie Moore Wolfe Motioned to Remove from the Table the Resolution Authorizing Contract Pay and Benefits – AFSCME Local 268 and Decatur Public Library; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk 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.

R2017-48 Resolution Authorizing Contract Pay and Benefits – AFSCME Local 268 and Decatur Public Library, was presented.

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

City Manager Tim Gleason reviewed the highpoints of the proposed Library contract with Council. Librarian Rick Meyer stated the renegotiations went very well and thanked the City and union members for their participation.

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

R2017-49 Resolution Authorizing the Execution of a Purchase Order with Cummins Crosspoint for the Rebuilding of a City of Decatur Public Bus in an Amount Not to Exceed \$26,335.29, was presented.

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

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

R2017-50 Resolution Accepting the Bid of Martin Equipment, Tolono, IL, for the Purchase of One (1) 2017 John Deere 524K-11, Rubber Tired, Diesel Powered, Wheel Loader, was presented.

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

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

R2017-51 Resolution Accepting the Bid of Martin Equipment, Tolono, IL, for the Purchase of One (1) 2017 John Deere 310SL, 4 x 2 Diesel Powered Extendahoe, was presented.

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

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

R2017-52 Resolution Accepting the Bid of Martin Equipment, Tolono IL, for the Purchase of One (1) 2017 John Deere 310SL, 4 x 4 Diesel Powered Extendahoe, was presented.

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

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

R2017-53 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Entler Excavating Company, Inc. for Nelson Park Neighborhood Combined Sewer Separation Project, City Project 2012-22, was presented.

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

Councilman Pat McDaniel pointed out the next four items on the agenda were taking care of the community in various areas, whether it is working on roads or storm sewers, they are spending millions of dollars on projects in the community. Councilwoman Dana Ray stated this project was one of the items brought up to her when she got on City Council and she was glad to see that it finally is moving forward. She realized the biggest issue was funding and was glad the funding was secured. Councilwoman Dana Ray thanked City staff for their good work.

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

R2017-54 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt, Inc. d/b/a Dunn Company for Local Motor Fuel Tax Street Improvements (Asphalt), was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Mayor Julie Moore Wolfe and Tim Gleason shared that the public can follow along on what roads are being done on the City web site. Councilwoman Lisa Gregory pointed out that the non-primary roads include all neighborhoods in our City.

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

R2017-55 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Local Motor Fuel Tax Street Improvements (Concrete), was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

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

R2017-56 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt, Inc. d/b/a Dunn Company for Street Restoration, City Project 2017-08, was presented.

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

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

R2017-57 Resolution Authorizing the Expenditure of Funds for Purchase of Data Storage Equipment and Services from Presidio Technology Capital, was presented.

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

Councilwoman Dana Ray asked how long the new equipment would last. MIS Director Jim Edwards explained the storage layer is simply one of those targets you try to hit. Currently we are not destroying a lot of older data because of the need to be able to do backup comparison of data. This particular bid is estimated to last the City five years; the infrastructure will last longer than that. In five years we may have to add data storage space to the infrastructure being proposed, but we wouldn't be replacing the infrastructure. Councilman Chris Funk clarified the total cost would be \$285,000. MIS Director Jim Edwards shared the current system is eight year old technology and the parts are hard to find. We are buying this system to use indefinitely.

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

R2017-58 Resolution Authorizing Approval to Renew the Annual License and Support Agreement from Tyler Technologies, Inc. for MUNIS Enterprise Financial Software System Suite, was presented.

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

Councilman Chris Funk shared that last year he had requested an investigation be done to see how the City was were using the system, was the City getting its monies worth out of the system, was it the best system, or was an alternate system better. MIS Director Jim Edwards stated that since he has been with the City he has been doing that very thing. We are trying to take the MUNIS system and make it an all-inclusive offering. The price tag is paying for what we are using. Councilman Chris Funk clarified this is a year over year arrangement. Councilman Chris Funk's recommended doing a RFP process. MIS Director Jim Edward shared that this product ranks right in the middle to other products. City Manager Tim Gleason stated the City will explore the RFP process as they are preparing next year.

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

R2017-59 Resolution Authorizing Redevelopment Agreement MDA PROPERTIES LLC, was presented.

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

Assistant City Manager Billy Tyus stated new residential construction is something the City has been pushing for and this project provides for downtown living and possibly new commercial and or office space. It is also reusing a brownfield site and providing new infrastructure as well. Councilman Bill Faber asked what the value of the release lien was. Assistant City Manager Billy Tyus explained the loan was for an amount not to exceed \$1.4 million, he believed the draw down was closer to \$1.3 million there was payment of more than half of that approximately \$700,000. The City is not the first lien holder. Councilwoman Dana Ray asked if the other previous liens would have to be taken care of in order for the project to move forward. Assistant City Manager Billy Tyus stated not as far as what the City is trying to do.

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

R2017-60 Resolution Authorizing a Local Agency Agreement for Federal Participation with the State of Illinois for the Corridor Monument Installation Project, City Project 2010-12, was presented.

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

Councilwoman Dana Ray asked how easily could the City add on to the signs if the City had further attractions. Assistant City Manager Billy Tyus stated that one of the things they have done on some of the signs is to leave blank signage positions, as the City knows there are some attractions in the works. We also know that we can add signage. The State only allows a certain number of units on the signs the State pays for, so we are limited as to what can go on those signs, but we can add additional signage as we go forward. Councilwoman Lisa Gregory was glad to see this project move forward. It adds to the branding for the City of Decatur and having a consistent look throughout the City is important to our visitors. Councilman Pat McDaniel asked if there were restriction on the attractions, they aren't going to be commercial type businesses or anything like that because he would not like to see that. Assistant City Manager Billy Tyus stated the signage they are doing is not commercial in nature. They are more local attractions. Assistant City Manager Billy Tyus will provide Council with a list of the attractions.

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

R2017-61 Resolution Authorizing an Agreement with Chastain & Associates, LLC for Construction Engineering Services for the Corridor Monument Installation Project, City Project 2010-12, was presented.

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

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

2017-19 Ordinance Amending City Code Chapter 48 – Nuisances, Section 9-17 Adding “Native Plant Landscape Areas”, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Lisa Gregory.

City Manager Tim Gleason shared the amendment is a soil erosion effort to protect Lake Decatur and the \$91 million investment made to removal of sediment in the basin. These native plant landscape areas are for properties adjoining Lake Decatur. It is for the backyards only to prevent soil erosion. Thinning the landscape is a burning component to this. There are very strict requirements in place in this Ordinance for burning. Councilwoman Dana Ray stated her biggest concern was the burning taking place and her asthma patients who really suffer from burning. City Manager Tim Gleason stated the thinning period would be January through April. Councilwoman Dana Ray asked if there were other ways to thin other than burning. City Manager Tim Gleason stated, yes, by a simple trimming depending on the terrain the lakefront property owner has.

Donna Cararra said when people burn they put carbon into the air and the trees absorb the carbon. Then the trees are healthier and put out more oxygen.

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

R2017-62 Resolution Approving and Adopting City Council Policies, Roles and Responsibilities, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Lisa Gregory.

Councilman Bill Faber suggested the new Council should have the opportunity for input into the formulation of the new policies. Mayor Julie Moore Wolfe explained the Council can change the policies any time in the future. Councilman Bill Faber stated the policies had not been changed in 15 years and he wanted to wait for the new Council to be seated. Councilman Bill Faber had concerns about the proposed changes for convening a Study Session. Councilman Pat McDaniel shared he thought the City's form of government was a good system. Councilwoman Lisa Gregory addressed Councilman Bill Faber's concerns regarding additional time to evaluate the proposed Council items and the opportunities people do have to bring their concerns to Council through Boards and Commissions. Councilwoman Lisa Gregory stated that almost weekly they are getting updates on items from the City Manager. Councilman Bill Faber asked the Mayor why it was important to impose these new policies. Mayor Julie Moore Wolfe stated primarily because we have the experience on the Council now and it takes a new Council some time to understand how the Council works and understand the reasons for the changes being made.

Upon call of the roll, Councilmen Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Chris Funk 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.

Receiving and Filing of Minutes of Boards and Commissions, was presented.

Councilman Jerry Dawson moved to approve the item as presented; seconded by Councilwoman Dana Ray.

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

Mayor Julie Moore Wolfe called for Other Business. Councilman Pat McDaniel responded to Mr. Jenkins concerns voiced during Appearance of Citizens. Councilman Pat McDaniel stated that City government is not the answer to everybody's problems. He encouraged organizations and churches to have work programs for 13 and 14 year old individuals. He explained they understand the situation on Grand Street but there are legal

issues. As far as the inner City, Council is looking at a comprehensive program. Councilman Bill Faber stated he contacted Representative Rodney Davis regarding the Town Hall meeting and asked him if he would talk to Council about bringing jobs to Decatur. Councilman Jerry Dawson commended Mr. Baker efforts for the police body armor vest.

With no other business, Mayor Julie Moore Wolfe called to Recess to Study Session for the Treasurer's Financial Report.

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

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

Finance Director Gregg Zientara presented the Financial Report and responded to Council members questions. Councilman Gregg Zientara will provide a report that breaks down sales tax distribution to the City Manager to share with Council.

Mayor Julie Moore Wolfe called to Recess to Closed Executive Session Under Section 2. Open Meetings (c) (11) Litigation, When an Action Against, Affecting or on Behalf of the Particular Public Body has Been Filed and is Pending Before a Court or Administrative Tribunal, or when the Public Body Finds that an Action is Probable or Imminent.

Councilman Jerry Dawson move to recess to Closed Executive Session; seconded by Councilwoman Dana Ray.

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

Council returned to the regular Council meeting following Closed Executive Session.

Councilwoman Dana Ray moved the regular Council meeting be adjourned; seconded by Councilman Jerry Dawson. All were in favor by voicing no objections. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 8:45 p.m.

Approved May 1, 2017
Debra G. Bright
City Clerk