CITY COUNCIL MINUTES
Monday, March 21, 2016

On Monday, March 21, 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 Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory and Pat McDaniel. 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:

Lloyd Holman and Jim Taylor brought forward a Resolution on Residency for City staff in June 2015. Mr. Holman requested action on the Resolution.

Jim Taylor asked why the Residency for City Staff was not on the Agenda tonight. Corporation Counsel Wendy Morthland explained the procedure for Council to request an item for a Study Session.

Russell Shulke spoke about the history of the City's Fire equipment purchases.

Timothy Cline proposed the City consider some type of permit that would allow large events outside to go later than 10:00 p.m.

The minutes of March 7, 2016 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 Dana Ray, Jerry Dawson, Chris Funk, Lisa Gregory, Pat McDaniel and Mayor Julie Moore Wolfe voted aye. Councilman Bill Faber abstained. Six ayes; 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.

Proclamations and Recognitions – Matt Munjoy read a Proclamation declaring National Athletic Training Month March 2016 in Decatur, Illinois.

R2016-26 Resolution Authorizing City Manager to Purchase Tyler Technologies Utility Billing CIS Software and Related Deployment Services, was presented.

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

Councilman Pat McDaniel asked if the software would allow the City to keep better track of who is not paying their water bills. City Manager Gleason said it would. Councilman Chris Funk asked if the upgrade would allow the City to send electronic bills. City Manager Gleason said it would. Councilman Funk asked if Tyler was the only vendor that provided these services and if the City did any comparison. Finance Director Gregg Zientara explained the City has an enterprise software system and it is most efficient for the City to use modules within that system. Mayor Moore Wolfe asked how much money could the City save by doing electronic billing. Finance Director Zientara said the City would save paper and printing costs.

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

R2016-27 Resolution Authorizing City Manager to Execute and Enter into Addendum G of the Master Payment Processing Agreement with Firstech, Inc., was presented.

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

Councilwoman Dana Ray had concerns about awarding a contract for a ten year period because the City doesn't usually award a contract for that period of time. City Manager Gleason explained FirsTech made the request for five years. The Council has the ability to extend the contract at the end of five years for an additional five years. Mayor Moore Wolfe asked if the contract will come back before Council at the end of five years and City Manager Gleason said it would. Councilman Chris Funk asked about the thought process of renewing the contract and getting other proposals. Finance Director Gregg Zientara explained FirsTech provides several services for the City.

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

R2016-28 Resolution to Appropriate Motor Fuel Tax Funds for Traffic Signal Maintenance and Street Maintenance by Municipality Under the Illinois Highway Code, was presented.

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

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

R2016-29 Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc., for South Water Treatment Plant Concrete Repairs Project, City Project 2015-04, was presented.

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

Councilwoman Dana Ray requested clarification about the contract where Otto Baum requested a waiver to participate in the Minority Business Enterprise. Public Works Director Rick Marley explained Otto Baum did seek minority contractors and they were not able to secure any minority contractors and so they seek a waiver. Public Works Director Rick Marley and City Manager Tim Gleason responded to concerns Councilwoman Dana Ray had about what avenues are taken to advertise for minority contractors.

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

R2016-30 Resolution for Annual Software License Agreement with Human Capital Development, LLC for ePrismSoft, was presented.

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

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

2016-31 Resolution to Authorize Additional Funds to Pay the City's Final Cost for the Eldorado Street Enhancement Project, City Project 2006-25, State Section 06-00625-00-SW, was presented.

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

Councilman Pat McDaniel asked if this was an additional payment. Public Works Director Rick Marley said no it wasn't an additional payment. Public Works Director Rick Marley explained to Council IDOT's contract billing procedure and appropriations.

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

2016-14 Ordinance Granting Authority to Construct Wireless Communication Facility 2105 East Eldorado Street, was presented.

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

Councilman Bill Faber inquired about the necessity of the tower. Thomas Jemilo with Insite said the necessity for the cell tower is for public safety and usability. Mr. Jemilo shared signal strength maps and a photos of a cell tower with Council. Mr. Jemilo said he had exhausted the possibility of finding an alternate location to lease. This tower is being built for Verizon Wireless, but the tower could structurally handle four more carriers.

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

2016-15 Ordinance Rezoning Property R-1 Single Family Residence District to PD Planned Development District 544 West Pershing Road Commonly Known as 3012 and 3034 North MacArthur Road, was presented.

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

City Manager Tim Gleason explained this is the last corner for development at Pershing and MacArthur. The development of the 1.79 acres allowed under this request is very restrictive. There is a minimum parking requirement of 73 spaces, and the development possibilities are professional office uses, retail uses and restaurant uses. The item did pass unanimously at the last Planning Commission meeting. Councilman Faber thought the rezoning item should go back to the Plan Commission so they follow the Zoning Ordinance properly and make their specific findings as the Ordinance requires. Assistant City Manager Billy Tyus explained the Planning Commission did not have additional findings. The Planning Commission approved what staff had recommended. Councilman Pat McDaniel did attend the Planning Commission meeting and spoke to individuals in the area. Councilman Pat McDaniel requested staff not to mess up the neighborhood by building a structure and leaving it empty. Councilman Bill Faber said the Plan Commission did not have independent findings by the Plan Commission and he felt it was a procedural flaw. Corporate Counsel Wendy Morthland explained the Plan Commission adopted the findings of the staff and moved for approval. Councilman Pat McDaniel requested as soon as information is available for rezoning that it be sent to the Council to review.

Comments from the audience:

Phil Cochran, the Consultant for the petitioner for the rezoning, said he had been attending Plan Commission meetings for many years and he felt the Plan Commission Board had met the spirit of the ordinance. A Planned Development is the most restrictive use the Council can approve. The City is only going to see a continued deterioration of those residential properties. The development would clean up the neighborhood, generate sales taxes, food and beverage taxes, and protect the neighborhood with some securities. Councilman Pat McDaniel said it is the unknown businesses the neighbors have concerns about. Mr. Cochran said there are safe guards in that there are only 73 parking spaces. Councilman Faber said building on the outskirts deprives the inner City. Mr. Cochran said the inner City properties are going to take more incentives, there are not 30,000 cars going by.

Jim Reynolds lives one block from the proposed site. Mr. Reynolds said it is already a busy area and the growth continues to encroach upon the neighborhoods in that area. Mr. Reynolds asked Council to protect the neighborhood. Mr. Reynolds requested that Council not approve the rezoning.

Lorey Johnson lives less than a block from the development. A business office or a medical office is not encroaching on the neighborhood. There are already many fast food restaurants nearby. Ms. Johnson was concerned that a video gaming establishment could go in the development. Neighbors are concerned about what type of establishments could be put in the development. The neighbors take care of their homes. Neighbors are concerned this development will lower their property values and increase the traffic through the neighborhood. Ms. Johnson asked the Council to save their neighborhood that is already clean and neat.

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

R2016-32 Resolution Authorizing Real Estate Lease Agreement for Property Located in the 200-300 Blocks of East Central Avenue in the Wabash Crossing Redevelopment Area, was presented.

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

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

Mayor Julie Moore Wolfe called for Consent Calendar Items A through D and asked if any Council member wished to have an item removed from Consent Calendar. The Clerk read Items A - D:

A. Receiving and Filing of Minutes of Boards
B. Receiving and Filing Official Zoning Map
C. R2016-33 Resolution Authorizing Extension of Contract Midwest Fiber Recycling Household Recycling Services
D. R2016-34 Resolution Approving the Expenditure of City Funds to Purchase Barracuda Web Filters

Councilman Jerry Dawson moved Items A through D be approved by Omnibus Vote; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Other Business, Councilman Bill Faber asked for a Study Session to consider a Resolution for a residency requirement for all new City workers; seconded by Councilwoman Dana Ray, third by Councilman Pat McDaniel, fourth by Councilman Jerry Dawson. Mayor Julie Moore Wolfe announced there will be a Study Session on April 4, 2016, on the proposed residency requirement. Councilman Bill Faber inquired about City Manager Tim Gleason's annual evaluation and if it had been scheduled. Mayor Julie Moore Wolfe announced that at the next regular Council meeting there will be an Executive Session to do an annual evaluation.

Councilman Jerry Dawson inquired about protection for a large concert from getting shut down. Corporate Counsel Wendy Morthland said Council could look at ways to accommodate those events.

Councilman Pat McDaniel said there are a lot of vacant commercial buildings in town and Council may need to look at offering incentives and look at codes to see if the City is too restrictive.

Councilwoman Lisa Gregory renewed her request for a written Economic Development Plan.

Mayor Julie Moore Wolfe called to Recess to a Study Session for the Treasurer's Financial Report and the Fiber Optic Project.

Councilwoman Dana Ray moved to recess to Study Session; seconded by Councilman Jerry Dawson. On call of the roll Councilmen Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel, and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Finance Director Gregg Zientara gave an overview of the City's Financial Position. The City's financial position remains stable. The financial position can be impacted by changes in the local economy and distributions of State taxes.

Economic Development Officer Patrick Hoban and MIS Manager James Edwards shared with Council where the Fiber Optic Project is headed in the future, the technical perspective of fiber optics and the prospects of fiber optics as a revenue source.

Council said if the City had to do an interfund loan they would want Council to review the loan every year.

Councilman Jerry Dawson moved to recess to Closed Executive Session for the Purpose of a Discussion Regarding the Purchase or Lease of Real Property for the Use of the Public Body; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Council went into Closed Executive Session at 8:24 p.m.

There being no further business, Councilwoman Dana Ray moved the regular Council meeting be adjourned; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory, Pat McDaniel and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 9:04 p.m.

Approved April 4, 2016
Debra G. Bright
City Clerk