

CITY COUNCIL MINUTES
Tuesday, February 16, 2016

On Tuesday, February 16, 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 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.

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

Steven Luker shared his concerns about the recent Herald & Review report that the City Manager was taken to St. Louis in a police vehicle. Mr. Luker also requested to know why he was denied a grant to repair his house.

Charlotte Pickett expressed her opposition to the Local Motor Fuel Tax. Ms. Pickett thought Decatur already had enough taxes. She suggested that the Motor Fuel Tax should all be the same and the money should be for roads only.

Russell Shulke read a statement regarding prior City mayors' actions.

NAACP President Dr. Jeanelle Norman read a letter of support on behalf of the NAACP for the former Police Chief Brad Sweeney. She urged Council to examine the termination of Mr. Sweeney.

Jeff Miller suggested an independent investigator look into the allegation surrounding former Police Chief Brad Sweeney and City Manager Tim Gleason to protect their reputation.

Vince Shaw requested the Council support the Ordinance for a Local Motor Fuel Tax for the purpose of road repair. He expressed the importance of everyone paying the tax regardless of where they live so it will lessen the burden on Decatur citizens and shifts the cost onto all users of Decatur City streets. He urges Council to pass the Ordinance so work could begin to repair the crumbling streets.

Tom Winholtz asked Council to not pass the Local Motor Fuel Tax because of the burden it will put on senior citizens.

Sherry Procarione asked Council to cut programs first before implementing the gas tax.

Joel Riley spoke in favor of the gas tax.

The minutes of February 1, 2016 City Council meeting were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilman Pat McDaniel, 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 and there being none, Mayor Julie Moore Wolfe called for New Business.

This being the time set aside for Proclamations and Recognitions, a Proclamation was read by MacArthur High School student Artonia Dear proclaiming Decatur Boys & Girls Club Week, March 7 – 12, 2016.

2016-06 Ordinance Rezoning Property M-1 Intense Commercial/Light Industrial District and M-2 Heavy Industrial District to B-2 Commercial District 550 North Van Dyke Street, was presented.

Councilman Jerry Dawson moved the Ordinance 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.

R2016-13 Resolution Authorizing the Execution of an Agreement and Purchase Order for SunGard Interface for Digital Ticket Program, was presented.

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

Sherry Procarione asked Council to not go completely to a paperless ticket system.

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.

R2016-14 Resolution Authorizing the Execution of Agreement with the Macon County Circuit Clerk for the Digital Ticket Program, 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.

R2016-15 Resolution Authorizing Professional Engineering Services Agreement to Crawford, Murphy & Tilly, Inc. for South Water Treatment Plant East Clarifiers Conversion Project, was presented.

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

Keith Alexander gave a presentation to Council on the South Water Treatment Plant East Clarifiers Conversion Project. Mr. Alexander shared information about the water treatment purification process and the funding for the project. Ty Besalke with Crawford, Murphy & Tilly, Inc. (CMT) responded to Council questions regarding the claricone technology. Keith Alexander addressed Council questions about the selection of CMT. Mr. Alexander explained CMT has done several claricones and CMT does have experience in doing a project exactly like the one the City needs done. Councilman Pat McDaniel asked if there would have to be any more tax increases to do the project. Mr. Alexander believed the project can be afforded through the water rate increases already approved.

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.

R2016-16 Resolution Approving Expenditure for Caterpillar Wheel Loader Operator Compartment Roll Over Protection Structure (ROPS), was presented.

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

Councilman Chris Funk inquired about the cabs deterioration. Public Works Director Rick Marley explained the equipment is used to load salt. If the City does not replace the roll over cages the City will not be able to use the equipment anymore; the equipment would be unsafe. The useful life may be extended four more years and the salvage value will be greater if the roll over cages are replaced.

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.

2016-07 Ordinance Annexing Territory – 11 Cloyds Drive, was presented.

Councilman Jerry Dawson moved the Ordinance 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.

R2016-17 Resolution Authorizing an Agreement with Chastain & Associates, LLC for Preliminary Design of the Meadowlark Neighborhood Drainage Improvement Project, City Project 2016-01, was presented.

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

Public Works Director Rick Marley responded to Councilwoman Lisa Gregory's inquiry about the project's timeline for construction. Mr. Marley explained the Master Plan described these projects in 2009, however, this project and others did not have funding. The Storm Water Utility fee was established in 2014 and the City is at a point where the work can begin on this project.

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.

R2016-18 Resolution Authorizing an Intergovernmental Cooperation Agreement with the Village of Long Creek and the Village of Mt. Zion, IL for Microsurfacing Projects, was presented.

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

City Manager Tim Gleason addressed Sherry Procarione questions regarding what the project is for and why Mt. Zion was included. City Manager Tim Gleason stated microsurfacing is needed in these communities to improve the roadways. This is an agreement to maximize cost savings for the tax payers in each of these communities.

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.

2016-08 Ordinance Adding City Code Chapter 51.4 – Local Motor Fuel Tax, was presented.

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

City Manager Tim Gleason gave an overview of the proposed Local Motor Fuel Tax for the City of Decatur. The fuel tax would be .05 cents per gallon for non-diesel retail and bulk and then a .01 for diesel retail and bulk. The tax would go in effect on April 1, 2016. It would be dedicated to local roadway projects. A new line item has been created in the City budget to track the funds. There will be a new link on the City's website to track the funds and the work being done.

Councilwoman Lisa Gregory expressed it was important to her for the citizens to see where there money was going. Councilwoman Gregory proposed the language be used for Motor Fuel Tax was revenue produced by the tax imposed by this "Chapter shall be restricted in use to the construction and maintenance of municipal streets and extensions, sidewalk repairs and maintenance, curbing, grade separations and approaches and engineering services related to those above listed items". Councilwoman Gregory motioned that the language do pass; seconded by Councilman Jerry Dawson.

Upon call of the roll to approve the Amendment, 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.

Councilman Pat McDaniel inquired about the provision for an administrative cost. Corporation Counsel Wendy Morthland explained in Section 4. (d) there is an incentive of 1.75 percent of the tax if the people timely file the paperwork and remit the money. Finance Director Gregg Zientara said the 1.75 percent is the same as what the State allows. The money will be retained by the tax filer.

Councilman Pat McDaniel suggested a five year Sunset provision, he would go along with a ten year Sunset. Council had concerns about if the Sunset provision was too short it may be difficult to borrow money. Councilwoman Dana Ray suggested a 15 year Sunset. Councilman Bill Faber wanted to make sure the Council had the authority to resend the Ordinance at any time. Corporate Counsel Wendy Morthland explained Council could terminate the Ordinance at any time. The Council cannot bind future Councils from choosing to extend it either. Councilman Chris Funk wanted to understand what the community is getting and what the expectations were from the revenue. The Pavement Condition Index (PCI) rating is declining. Public Works Director Rick Marley explained Councilman Funk had identified the fact the PCI rating has declined and without any additional revenue it will continue to decline at the same rate or an increased rate. This money will allow us to do additional work. Mr. Marley will look into other surrounding cities PCI ratings and report back to Council. Councilman Funk encouraged people to call their legislators because of what the State of Illinois is not doing is costing citizens a lot of money. Mayor Julie Moore Wolfe preferred no Sunset at all. Mayor Moore Wolfe would like to see the roads begin to get fixed in 2016. Councilman Chris Funk would like to see the roads

repaired on a consistent basis in the future; he would go along with a 10 year Sunset. Councilman Pat McDaniel motioned to add "Section 12. TERMINATION. This tax shall be in existence for no more than ten (10) years from the date of enactment and shall expire at the end of said ten year period without the necessity of further action by City Council or unless further affirmative action is taken by City Council to extend"; seconded by Councilwoman Dana Ray.

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

Public Works Director Rick Marley addressed Council questions about what amount of revenue would propel the road work forward. Mr. Marley explained he does not have the ability to forecast pavement conditions and the costs of construction. City Manager Tim Gleason explained he does not know what the revenue needed is either. Staff will assess the existing taxes each year. Councilman Bill Faber said he would be voting against the Motor Fuel Tax increase because he believes he has a better plan through a City Service fee.

Citizens:

Russell Shulke suggested both fuel and diesel should be increased the same amount.

Max Pressgrove shared his concerns about the heavy vehicles damaging the roads. Mr. Pressgrove suggested the Council look at other retail items they could raise taxes on rather than fuel.

Bruce Washburn inquired about the administrative fee for diesel fuel.

Vince Shaw said the administrative fee will be a very minute amount.

Sherry Procarione asked Council to not vote for the tax; make cuts first.

Lester Clymer believed a Motor Fuel Tax would let the people using the streets pay for them.

Motion as amended in Sections 8 and 12, 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.

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. Receiving and Filing of Minutes of Boards
- B. 2016-09 Ordinance Amending City Code Chapter 52
- C. R2016-19 Resolution Accepting Bid for Water Inventory Materials, Water Services

Councilman Jerry Dawson moved Items A through C be approved by Omnibus Vote; seconded by Councilwoman Pat McDaniel, 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 Other Business, Councilman Bill Faber would like to have a Study Session on the residency requirement for all new City workers on March 21, 2016.

There being no further business, Councilman Jerry Dawson moved the regular Council meeting be adjourned; 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 Council meeting adjourned at 7:45 p.m.

Approved March 7, 2016
Debra G. Bright
City Clerk