

CITY COUNCIL MINUTES
Monday, December 21, 2015

On Monday, December 21, 2015, 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 Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory and Pat McDaniel. Councilman Dana Ray was absent. 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.

The minutes of December 3, 2015 Special City Council meeting and December 7, 2015 City Council meeting were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilman Lisa Gregory, and on call of the roll, Councilmen 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 unfinished business and there being none, Mayor Julie Moore Wolfe called for New Business.

This being the time set aside for Proclamations and Recognitions and there being none; Mayor Julie Moore Wolfe asked Sue Lawson with the Coalition of Neighborhood Organizations to the podium to give a presentation. Sue Lawson gave a summary of the 2015 Coalition of Neighborhood Organizations events held and thanked the Council for their support and participation.

2015-69 Ordinance Levying Property Taxes for the City of Decatur for the Purpose of Raising Revenue to Meet Certain Necessary Expenses of the City of Fiscal Year Ending December 31, 2016.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel. City Manager Tim Gleason explained this Ordinance is the approval component of the property tax increase.

Comments from citizens:

Sherry Procarione expressed the focus should be to grow the economy and cut taxes and spending.

Carla Brinkoetter is concerned about the impact tax increases will have on the ability of citizens to buy and sell their homes. She asked Council to give the citizens some hope in something that is tangible.

Daniel Ray Pickrel asked Council to mentor youth and get youth involved in their neighborhoods.

Comments from Council:

Councilman Pat McDaniel read a statement he prepared regarding the City's budget. He assured citizens he had heard their concerns about raising taxes and fees and he will be extremely cautious in the future in raising revenue enhancements.

Councilman Bill Faber read a statement he prepared about tax increases. He would like to have further discussions about other solutions to raise revenue.

Councilman Bill Faber is opposed to the raising of property taxes because it hurts the senior citizens.

Councilman Chris Funk has encouraged City management to look for ways to reduce expenses and automate functions.

Councilman Jerry Dawson said he would not be in favor of any more new taxes in the future. As expenses rise the City will have to cut internally.

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

2015-70 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2008 Series Bonds

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Lisa Gregory. On call of the roll, Councilmen 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.

2015-71 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2010 Series B Bonds

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen 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.

2015-72 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2010 Series C Bonds

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen 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.

2015-73 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2013 Series Bonds

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen 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.

2015-74 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2014 Series Bonds

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Lisa Gregory. On call of the roll, Councilmen 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.

2015-75 Ordinance Abating the Property Tax Levy for the City of Decatur, Illinois for General Obligation 2015 Series Bonds.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Lisa Gregory. On call of the roll, Councilmen 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.

R2015-137 Resolution Authorizing the City of Decatur to Provide an Interfund Cash Advance to the Decatur Public Transit System Fund.

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

City Manager Tim Gleason explained that, if approved, this is an interfund cash advance coming out of the Water Fund in the range of \$200,000 to \$250,000. The reason for the request is because of the lack of funding coming from the Illinois Department of Transportation (IDOT) to fund the City's Transit Department. The Water Fund will be reimbursed once the City's receives those funds from IDOT.

Councilman Chris Funk asked if there was any possibility that the City would not receive the funds from IDOT. City Manager Tim Gleason said there is always that possibility but he thought it was unlikely. Councilman Lisa Gregory stated that the action the Council is taking on this agenda item is due to the lack of a State budget.

On call of the roll, Councilmen 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.

2015-76 Ordinance Appropriating Additional Funds for Certain Departmental and City Service Operations in the Fiscal Year Ending December 31, 2015.

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

City Manager Tim Gleason explained the Ordinance is to appropriate additional non-general fund monies for different City services. Councilman Bill Faber requested an explanation of what it meant under the East Gate TIF where it states the developer payment is greater than planned. Finance Director Gregg Zientara explained the developers of the TIF would get incremental property repaid to them. At the time the City did the budget, the City underestimated what the property tax revenues would be that the City would get in the TIF Districts, therefore, the City underestimated the amount of the developer payments the City would have to make. Councilman Chris Funk asked if the City had any discretion to not appropriate these funds. Finance Director Gregg Zientara stated the City is obligated to make the payments to the developers.

On call of the roll, Councilmen 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.

Mayor Julie Moore Wolfe announced Item 12, Ordinance Amending Zoning Ordinance Section XXIV. Off-Street Parking and Loading Requirements, had been pulled from the agenda.

2015-77 Ordinance Rezoning Property M-1 Intense Commercial/Light Industrial District to B-2 Commercial District 2800 North Water Street.

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

City Manager Tim Gleason shared the location is North Gate Mall. The zoning request would make the entire site B-2 Commercial. When reviewing the site, it was discovered that there are two different zoning districts on site. Many of the parcels along

Pershing Road are zoned M-1 and the City will be returning with additional requests along this corridor to B-2.

Councilman Pat McDaniel asked if there were restrictions as to what could go in the area. City Manager Tim Gleason said there are primarily restrictions to retail opportunities. Assistant City Manager Billy Tyus explained B-2 Commercial Districts are primarily retail and commercially driven. Councilman Pat McDaniel inquired about the U-Haul trucks that are parked at North Gate Mall. Assistant City Manager Billy Tyus said there are two different issues going on there. The land use and zoning issue and the issue of a potential tenant that has purchased the site. The City will be meeting with the tenant in the future. Councilman Jerry Dawson asked if this is going to be a legal problem for the City since it has already been purchased. Assistant City Manager Billy Tyus said when the site was purchased the uses being contemplated by the current buyer were not allowed at that point and the buyer was aware. City Manager Tim Gleason said even if the City had not brought forward the request to rezone to B-2, U-Haul is still not in compliance with the permitted use under M-1 and B-2. Councilman Chris Funk asked if someone bought this parcel in good faith based on the zoning the City's has and is the City changing it without discussion with the tenant. City Manager Tim Gleason said there had been several communications between staff and the property owner. Councilman Chris Funk had concerns about the timing of the rezoning request.

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

2015-78 Ordinance Rezoning Property R-1 Single Family Residence District to M-1 Intense Commercial/Light District 5285 East Maryland Street.

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

Councilman Chris Funk said he would abstain from the vote due to his professional relationship with his employer.

Councilman Bill Faber inquired about the Comprehensive Plan showing retail but staff is of the opinion that M-1 will not alter the general character of the area. Assistant City Manager Billy Tyus said the Comprehensive Plan is one of the items the staff considers when making a recommendation.

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

R2015-138 Resolution Authorizing Redevelopment Agreement Pace Hospitality LLC.

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

Councilman Pat McDaniel explained that he would not vote in favor of the Resolution because of the City giving the developer back five years of sales tax.

Councilman Bill Faber shared it is pretty clear that the development of hotels, restaurants, and retail do not stimulate economic growth. So if the City's purpose in

giving up tax dollars is to stimulate economic growth this is not a policy for effective growth.

Councilman Jerry Dawson said the City is getting a restaurant which would bring additional food and beverage tax dollars to help pay the City's bills.

Mayor Julie Moore Wolfe said that the Council cannot continue to turn away any kind of tax money that is going to come to the City. This is an opportunity to bring business that will generate revenue.

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

R2015-139 Resolution Receiving and Filing Proposed Redevelopment Agreement FirstTech, Inc.

City Manager Tim Gleason shared this is a retention effort for the City of Decatur. FirstTech was considering relocating to Champaign / Urbana and St. Louis.

Councilman Chris Funk said he would abstain from the vote because the company is a competitor of his employer.

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

R2015-140 Resolution Authorizing Lake Decatur Dredging Basins 1-4 & Oakley Sedimentation Basin Rehabilitation – City Project 2013-14 Great Lakes Dredge & Dock Company Contract Pay Item Increase.

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

Councilman Tim Gleason explained that when Council approved the contract the Council set a very restrictive change order dollar amount of about \$250,000. Staff is requesting to increase the Change Order amount to a \$500,000 limit.

Councilman Jerry Dawson inquired about the additional dollars for mowing. Water Management Director Keith Alexander explained that the original contract called for mowing twice per year at the sediment storage basin. The Sediment Storage Site Maintenance Committee desired that the City mow that site every month. Councilman Jerry Dawson inquired about the additional tree removal work. Water Management Director Keith Alexander explained during the time it took to write the specifications the trees actually grew larger in diameter. Councilman Jerry Dawson thought the treatment for Zinc removal should have been anticipated. Water Management Director Keith Alexander explained this is an IEPA requirement. Councilman Jerry Dawson asked for an explanation regarding the channel improvements to the west swale. Water Management Director Keith Alexander said the volume and velocity of water back to the lake was higher than the engineering consultants originally anticipated so the channel had to be hardened and armored so it didn't erode as it went back to the lake. Mayor Julie Moore Wolfe asked why the change order budget was set so low in the beginning. Mr. Alexander expressed the City wanted to let the contractors know that the City desired to keep the number of Change Orders and the costs of those Change Orders as low as possible. Councilman Pat McDaniel asked if the City should go back on the consultant engineers and make them pay. Mr. Alexander explained his

recommendation would be no, because there are going to be a lot of opportunities for things to develop that are unforeseen. Mr. Alexander explained what the GO Fabric installation was. Mr. Alexander addressed questions Councilman Chris Funk had regarding the contract costs.

On call of the roll, Councilmen 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.

R2015-141 Resolution Authorizing Change Order #1 to the Professional Services Agreement with Tele Scan, Inc. for Manhole Inspection Services, City Project 2014-16.

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

City Manager Tim Gleason explained the Change Order is a no cost request. The request is to extend the time to complete the work.

Russell Shulke thanked the City for going local with the contract.

On call of the roll, Councilmen 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.

R2015-142 Resolution Authorizing an Agreement with Tele Scan, Inc. for the Annual Sewer Televising Program, City Project 2016-19.

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

On call of the roll, Councilmen 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.

R2015-143 Resolution Accepting the Bid of VCNA Prairie, Inc. for the Purchase of Portland Cement Concrete.

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

Councilman Jerry Dawson asked if the City Manager knew how many people were employed at the Decatur plant. Public Works Director Rick Marley informed Council the plant is located on East McKinley and they have a significant local presence. Councilman Bill Faber said it was his understanding that company was headquartered in Bridgeport, Illinois whereas the other two bidders are here in Decatur. Local presence is what the Council is trying to encourage here.

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

2015-79 Ordinance Annexing Territory – 2412 Sands Drive.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilman Pat McDaniel. On call of the roll, Councilmen 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.

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

A. Receiving and Filing of Minutes of Boards.

B. R2015-144 Resolution Authorizing Expenditure of Funds – Motorola System/Service Upgrade Agreement

Councilman Jerry Dawson moved that Consent Calendar Items A - B be approved by Omnibus Vote; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen 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 for Appearance of Citizens, the following appeared:

James Taylor would like to see a hotel built in downtown Decatur.

Sherry Procarione didn't think the City should give any tax abatements.

Russell Shulke read a statement he prepared about various City projects.

Mayor Julie Moore Wolfe called for Other Business. Mayor Julie Moore Wolfe announced there would be no Council meeting on Monday, January 4, 2016. Council will be meeting on Tuesday, January 19, 2016. Mayor has called a Goal Setting Session for the meeting on January 19, 2016.

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

Councilman Jerry Dawson moved to recess to Study Session; seconded by Councilman Pat McDaniel. On call of the roll Councilmen 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 reported that the City's financial position remains stable but delicate. The General Fund cash position is \$3 million at the end of November 2015. The City has received disbursements from the State.

Mayor Julie Moore Wolfe called for 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.

Councilman Jerry Dawson moved to recess to Closed Executive Session; seconded by Councilman Lisa Gregory, and on call of the roll, Councilmen 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 7:15 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 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 7:26 p.m.

Approved January 19, 2016
Debra G. Bright
City Clerk