

CITY COUNCIL MINUTES
Monday, December 7, 2015

On Monday, December 7, 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 Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, and Lisa Gregory. Seven members were 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.

The minutes of November 16, 2015 City Council meeting were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilman Dana Ray, and on call of the roll, Councilmen Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory 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, the City Clerk announced a presentation by System Administrator Seth Stark regarding a new Decatur website map feature. City Manager Tim Gleason introduced System Administrator Seth Stark who created a map showing the progression of the City of Decatur over 74 years. System Administrator Seth Stark shared features of the new map with Council.

R2015-129 Resolution Receiving and Filing Proposed Redevelopment Agreement Pace Hospitality LLC.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Lisa Gregory. City Manager Tim Gleason explained the Redevelopment Agreement is a new hotel opportunity. The \$9 million project will create 50 new jobs and provide a full service restaurant.

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

R2015-130 Resolution Authorizing Application to United States Environmental Protection Agency Brownfields Assessment Grant Program (FY 2016).

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

Mayor announced a Public Hearing on the Tax Levy. City Manager Tim Gleason explained the Public Hearing is required for the proposed Property Tax Increase of 5%. Finance Director Gregg Zientara passed out a packet to the Council and Media. The tax levy proposed is \$13,524,802.00; an increase of \$1.7 million from the 2014 tax levy. The tax levy increase is comprised of three elements debt service, public safety pension, and general purpose. Finance Director Gregg Zientara shared a chart that

showed the 2014 Equalized Accessed Value per person in Decatur and surrounding communities. Decatur's accessed value is \$10,800 and the average accessed value is almost \$17,000. The next chart showed the 2014 tax levy amount per citizen. Decatur is at \$155 per citizen. The proposed tax levy will take Decatur from \$155 to \$177 per person.

Mayor Julie Moore Wolfe reiterated that the Council does not want to raise taxes, but these are tough times and the City will pull together and get through this.

Mayor Julie Moore Wolfe opened the Public Hearing to the Public for comment.

Steven Morrison said he doesn't like the tax increases because Decatur's aging population is on a fixed income. Tax increases don't do anything to keep people in Decatur.

Jim Taylor said not only does the City want a tax increase so does the County, Park District, and School Board. The City needs to find other ways to raise the revenue.

Russell Shulke said the City's only resort is to raise taxes.

Jim Calhoun said raising taxes puts a burden on this community. The City needs new businesses to come to raise the revenue.

Bud Jackson asked how many people will leave Decatur and how many people won't come to Decatur as the City raises taxes. Mr. Jackson believed anything the Council could do to keep the taxes low would benefit Decatur.

With no further public comment Mayor Julie Moore Wolfe closed the Public Hearing.

R2015-131 Resolution Approving the Budget for the City of Decatur for the Fiscal Period Beginning January 1, 2016 and Ending December 31, 2016.

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

Russell Shulke read a statement he prepared regarding the City's budget.

Steven Morrison stated he understood the City was going to use the tax increase in the second half of 2016. He asked if the Council had already planned to use the tax levy funds in the second half of 2016. City Manager Tim Gleason explained to Council there are items in the budget, but the budget requires Council approval.

Councilman Pat McDaniel hoped Council would allocate money to Neighborhood Services to do more neighborhood cleanups in the future.

Councilman Bill Faber expressed the problems Decatur is facing is universal of local governments having less resources. He is not in favor of the proposed taxes that would impact senior citizens and people on fixed incomes. Councilman Bill Faber would like the Council and City Manager to find other ways to raise revenues.

Councilman Dana Ray realizes Council has to pass the budget in order to pay bills and have money in reserves.

Councilman Chris Funk said the City has done a good job of cutting expenses but with the State mandated expenses and the flat revenues the Council has to make difficult decisions.

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

2015-65 Ordinance Amending City Code Chapter 51.5 Hotel Use Tax.

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

2015-66 Ordinance Amending City Code Chapter 51.3 Utility Taxes. Mayor announced a correction was made on the second page to the date on the Ordinance from January 1, 2016 to February 1, 2016.

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

City Manager Tim Gleason said in 2002 the Council adopted a Utility Tax rate of 1.25% and the proposed increased is 4.25%.

Cindy Hale said she wants Home Rule back on the ballot.

Barbara Taylor wanted to know how people who are making \$8 an hour are going to pay their bills. Ms. Taylor asked Council to enforce the rules the City already had in place.

Jim Calhoun said he is self-employed and stressed it is tough to work in this town when everything keeps going up.

Steven Morrison said it appears the Council is asking for \$1.6 million more than the City needs.

Councilman Pat McDaniel motioned to amend Chapter 51.3, Section 2 Subsection B. after Subsection X tax rates set forth in the preceding table will be used through December 31, 2020, and as of January 1, 2021, will revert to those set out in the following section and the following section will be as it currently reads; seconded by Councilman Bill Faber.

Mayor called for discussion on the amendment; seeing none Mayor called for the vote.

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

Mayor called for discussion on the Ordinance as amended.

Councilman Pat McDaniel said he suggested looking at the Utility Tax in four years so a future Council can review the Utility Tax again.

City Manager Tim Gleason called for clarification on Councilman Pat McDaniel's amendment for a four year sunset provision that the date would be 2019. The proposed projection from this revenue is \$3.7 million. City Manager Tim Gleason explained the Property Tax, Hotel Use Tax, and Utility Tax proposed are to balance the 2016 budget and to create about \$1.25 million in cash reserves.

Mayor Julie Moore Wolfe called for the vote. Corporation Counsel Wendy Morthland explained the vote will be with the amendment of 2019 versus 2020.

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

2015-67 Ordinance Amending Council Ordinance 2010-79 to Amend the Definition of 2010B Project Work Scope.

Councilman Dana Ray moved the Ordinance do pass; seconded by Councilman Jerry Dawson. Councilman Chris Funk asked if the original Ordinance contemplated the Council's ability to make changes. Finance Director Gregg Zientara explained the original bond documents provide a provision that the Council can change the work scope of the project.

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

R2015-132 Resolution Authorizing an Agreement with Carl Walker, Inc. for Design and Construction Engineering Services for the Improvements of City Parking Garages B & C, City Project 2015-03.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Dana Ray. Councilman Bill Faber inquired about the term of use ADM has for Parking Garage B. Public Works Director Rick Marley said the lease provides ADM will take care of the fixtures and the operation of the parking structure. The City takes care of the parking structure. Councilman Bill Faber asked City Manager Tim Gleason if the City would consider renegotiating with ADM the responsibilities of the major repairs that need to be done.

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

R2015-133 Resolution accepting Bids for Water Treatment Chemicals – Water Department.

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

R2015-134 Resolution Authorizing an Agreement with Hanson Professional Services, Inc. to Design the Lake Decatur Dam Emergency Action Plan.

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

R2015-135 Resolution Authorizing an Agreement with Macon County Soil and Water Conservation District.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Dana Ray. On call of the roll, Councilmen Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory 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. Receiving and Filing of Minutes of Boards.

B. R2015-136 Resolution Approving and Determining the Need for Confidentiality of Minutes of Closed Meetings.

C. 2015-68 Ordinance Prohibiting the Use of Groundwater Christy-Foltz, Inc. 740 South Main Street.

Councilman Jerry Dawson moved that Consent Calendar Items A - C be approved by Omnibus Vote; seconded by Councilman Dana Ray, and on call of the roll, Councilmen Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory 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 thanked first time responders.

Diana Champion spoke about the sale of synthetic marijuana and urged Council to consider a public nuisance ordinance.

Russell Shulke read a statement he had prepared on the development of Fairview Plaza and downtown parking availability.

Richard Cairns shared his concerns about the Council's proposal to raise taxes.

Mark Eckart spoke about the negative impacts of synthetic marijuana sales.

Anthony Richards said all ages can purchase synthetic marijuana from convenience stores. Mr. Richards asked Council to put a ban on the sale of synthetic marijuana and any look a likes.

Jim Calhoun shared his concerns about the proposed taxes.

Max Pressgrove expressed his feelings about taxes and the condition of the roads in the City.

Mayor called for Other Business.

Mayor announced two Class 'A' liquor licenses have become available. Those interested can pick up an application at the City Clerk's Office, located on the 2nd floor of the Decatur Civic Center. The Clerk's Office will begin accepting application on December 9, 2015. The last day the City Clerk will accept applications in her office is on January 8, 2016. A drawing will be held to select a licensee from the qualified applicants. The date of the drawing will be January 22, 2016.

Councilman Dana Ray inquired about what the Council can legally do regarding the sales of synthetic marijuana. Corporation Counsel Wendy Morthland explained it is a matter of state wide concern. Legislation will obtain a legislative solution, but until then it is very difficult for a municipality to regulate until it is defined.

Councilman Pat McDaniel requested staff look at the lights under the viaduct at West Main because you cannot see pedestrians crossing at Millikin University.

Councilman Bill Faber requested inspectors look at businesses selling synthetic marijuana with a careful eye.

There being no further business, Councilman Jerry Dawson moved the regular Council meeting be adjourned; seconded by Councilman Dana Ray, and on call of the roll Councilmen Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber, Chris Funk, Lisa Gregory and Mayor Julie Moore Wolfe voted aye. The Mayor declared the Council meeting adjourned at 7:28 p.m.

Approved December 21, 2015
Debra G. Bright
City Clerk