

# **CITY OF DECATUR CITY COUNCIL POLICIES**

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## **A. GENERAL AND LEGISLATIVE POLICIES**

### **1. Use and Purpose of City Council Policies**

The Decatur City Council has a broad mandate to provide good government, develop and maintain a safe and viable community, and to supply desirable and/or necessary services to the community. Where enactment of laws are required to achieve the city's mandate, changes to the Decatur Municipal Code are proposed to the governing body. But the operation of government does not always require the force of law to achieve its objectives. In such cases, City Council policy statements serve to guide and determine the conduct of the City and its departments regarding the services they provide so that services are provided consistently over time, and in conformance with the City Council's long-term strategic objectives. Policies are approved and amended from time-to-time by the City Council and maintained by the Office of the City Manager.

City Council policies are published in one notebook (available at City Hall and distributed to the City Council members and Department Heads), and on the City's website, to facilitate ease of access.

City Council policies are adopted, repealed and amended at the discretion of the City Council by simple majority vote of the governing body. They are superseded by and inferior to local ordinances, and State and Federal laws. They are superior to and supersede administrative rules and regulations promulgated by the City Manager and department heads.

### **2. Communication**

Effective communications between the Mayor and City Council, the City Manager and City staff members are crucial to providing sound public policy and high-quality City services. Councilmembers have committed to sharing information with each other and with the City Manager, so the City Council and City Manager have agreed upon certain communications channels and practices intended to accomplish this.

#### **a. Guidelines**

Governing all communications, policy development and procedures between the senior staff, the Mayor, City Council and City Manager, is an overarching commitment to:

- \*Honesty
- \*Courtesy
- \*Open mindedness
- \*Peer respect
- \*Clear speaking
- \*Careful listening
- \*Focus on outcomes

b. Structured Channels for Communications

The City Manager shall arrange for clear, structured channels and methods of communication that respect the City Council's need for timely information about City affairs and the City staff's obligations to perform their daily operational work.

The City Manager has requested that, when the Mayor or Councilmembers have requests for information or wish to forward citizen inquiries, they send these requests through the City Manager. Councilmembers are requested to indicate the urgent, routine or long-term nature of the request in order to help staff members judge the priority of all outstanding requests. All Councilmembers and the City Manager will have access to the same information and the status of requests.

c. Direct Staff Contact

While the Mayor and Councilmembers are always at liberty to speak to any employee of the City, the City Manager has requested that contacts during work hours be limited to seeking ready information; requests for preparation of answers or more extensive information should be channeled through the Administrative Assistant to the City Manager. Further, direct contacts should not be in the nature of directing the work of a City employee or of requesting information that requires an employee to significantly reschedule his/her work to accomplish.

d. Anticipation of Communication Needs

The City Manager, Assistant or Deputy City Manager and department heads will anticipate the nature and timing of information that may be required by the City Council regarding current or growing issues and projects. The challenge is for staff to help the City Council from being surprised by information they receive from others. In the same, manner, the Mayor and City Council may help the City Manager or staff by apprising the City Manager of information they receive. This will aide in anticipating problems and verifying whether certain information is reliable.

e. Confidential Information

In certain cases, information may relate to delicate negotiations with private businesses (especially in the realm of commercial and industrial development). In such cases, the City Manager will be on his/her honor to maintain as confidential only that information that could cause an economic development project to fail if it were released improperly or prematurely. Whenever possible, the City Manager will keep the Mayor apprised of commercial or industrial development progress. The City Manager understands that where such risks of disclosure do not exist, he/she will endeavor to keep City Council informed about the progress of projects and negotiations.

Information relating to the lease or sale of City-controlled property or to pending litigation over development projects may be discussed in closed session of the City

Council (among other topics specifically allowed under the Open Meetings Act, 5 ILCS 120/1 *et seq.*). The Mayor and Councilmembers understand that they are on their honor not to disclose any confidential information publicly.

Where the Mayor or a Councilmember wishes to inquire about the performance of a City employee, such an inquiry will be directed only to the City Manager. The City Manager must handle such inquiries mindful of the confidentiality and trust that are inherent in employee personnel records.

### **3. Meeting Agenda**

#### **a. Agenda Items**

Items can be brought before the Council for consideration, or reconsideration, upon the recommendation of the Mayor, the City Manager or any four (4) members of Council. An item can be removed from a Council agenda by the same party or parties who requested it be placed thereon. Placement of an item on the agenda for consideration or reconsideration by Council will be requested through the City Manager's Office. By majority vote, the City Council may change the order of, or delete agenda items from, the official agenda at the start of a meeting; but they may not add agenda items in this manner.

#### **b. Closing of Agenda**

The City Manager will discuss each agenda first with the Mayor and then publish and distribute the agenda and supporting documents to Councilmembers and staff at the earliest possible date in advance of each City Council meeting. He/she will rely on staff members to present complete supporting information at the earliest time in advance.

In order for City Council and staff members to be prepared and to exchange information effectively, the City Council agenda will be closed at close of business on Monday of the week prior to each Council meeting. After this time, the City staff and Council will not be obligated to act upon an item/issue or provide additional research for the meeting.

Items brought by the public after that date may be accepted by the City Council or may be deferred to a future agenda with sufficient time for preparation. Electronic dissemination of agenda items will be sent to Council.

#### **c. Agenda Preparation and Distribution**

The City Clerk's Office shall be responsible for the compilation of the materials and for the timely distribution of written City Council meeting agendas with all available back-up information which shall be made available to each Councilmember at least by

the Thursday preceding the day of a regular meeting absent extenuating circumstances and communicated to Council.

d. Agenda Information

Questions regarding Council meeting agenda items or upcoming issues should be directed to the City Manager. In preparing information and replying to Council members, staff members will take care to present a report that describes both sides of an issue and gives the full picture. City Council will nevertheless be interested to learn the staff's or City Manager's recommendation for action. For Councilmembers convenience in discussing these materials, the staff member's work telephone number should be included with their report and recommendations.

e. Tabling of Agenda Items

City Council and staff members will make every effort to be informed and be prepared to act on agenda items as they reach the City Council agenda. However, during a Council meeting, it may be necessary or preferable to table discussion of an agenda item or issue in order to gain further information or to provide further information for the public. A motion to table should name a date certain and should not then result in premature discussion of that agenda item.

f. Study Sessions

Insofar as possible, all items of a major or controversial nature shall be placed on a study session agenda prior to being placed on the City Council agenda. Study Session Agenda items will be developed and scheduled by the Mayor and City Manager based on periodic consultations with council members.

It shall be the responsibility of all Department Directors to consult with the City Manager before placing a questionable or non-routine topic on the regular City Council agenda.

**4. Meeting Procedures-City Council, Boards, Commissions**

a. Order of Business

The order of business for City Council meetings is set forth in Chapter 6 of the Decatur City Code. The Illinois Open Meetings Act applies to City Council meetings or any meeting of three (3) or more elected officials at which public business is discussed. These Policies are adopted by the City Council for the effective and efficient conduct of City Council meetings as well as meetings of all City Boards, Commissions and Committees.

b. Public Participation Rules and Procedures

It is the policy of the Decatur City Council to encourage meaningful citizen participation in its meetings, comply with all statutory requirements for managing public meetings, and plan for the input of citizen comments where they will be the most useful in the City Council's decision-making and policy development processes, all while maintaining the highest degree of civility and decorum possible in the conduct of city business so that all potential and planned meeting participants will feel free to share their views without risk of intimidation, or threats to their safety.

Section A: During the Citizen Participation section of an agenda, members of the public may speak for up to three (3) minutes {once, per person}, unless City Council by majority vote or consensus grants additional time as provided herein. Action to extend time shall be rare, must be made on a content neutral basis, usually when disruptions or technical equipment issues have interfered, or for first-time speakers unfamiliar with the city's rules and procedures for public comment. Thirty (30) minutes will be allocated for all citizen participation combined. Remarks offered during the citizen participation section should pertain to city services and local public policy matters that may eventually be considered by the City Council. Remarks must be made with decorum and civility and be addressed to the Mayor and City Council from the podium. While the City Council wants to hear public comment from all sides of an issue, in order to maintain civility, the Mayor or Acting Mayor may interrupt or call out-of-order speakers who are profane, make verbal or physical threats, shout, or engage in crude and/or distasteful personal attacks.

Section B: Once all members of the public desiring to speak during the citizen participation section of a meeting have done so, the Mayor will declare the citizen participation section ended and, at the Mayor's or Acting Mayor's discretion, may allow members of the City Council and/or city staff to provide relevant information related to comments offered during citizen participation and/or respond to remarks made during the citizen participation section, but only if they wish to do so. No rebuttals from the audience will follow.

Section C: During the remainder of the agenda (with the exception of public hearings called for the purpose of obtaining citizen comments), discussion will be limited to members of the City Council, city staff, and subject-matter-experts arranged in advance by staff and the Mayor. Members of the public may submit information in writing, in advance to the City Clerk, which can be shared with the entire City Council. On a request from a majority of council members, or the city manager, the Mayor will allow persons submitting documents in advance to speak for up to three (3) minutes, once per meeting, if it pertains to a subject on the agenda, and in conjunction with council's discussion of that agenda item.

Section D: During council study sessions, all citizen comments will be scheduled on the agenda following the announced study session topics so that persons making comments can base their inputs on the actual discussion of the City Council and data presented by staff and/or issue-related discussion experts. Final directions and instructions to staff will follow citizen comments at study sessions.



Section E: Documents submitted by members of the public after commencement of regular meetings and study sessions meeting, and during the citizen participation section, will be accepted and made available to each member of the council if enough copies are provided. Speakers should not approach the dais; the Mayor or Acting Mayor will advise speakers to whom they should hand their printed materials.

Section F: The city will provide guidance to speakers regarding the amount of time they have remaining when they are at the podium giving comments, and when their time has expired through the use of a time display counter, mounted on the City Council dais so it is easily visible from the speaker's podium. The time display counter will also include three (3) lights with the following colors that have the following meanings: green means that more than one (1) minute remains; yellow means that less than one (1) minute remains; and red means that time has expired. Because City Council meetings are recorded for simultaneous or delayed broadcast, and then linked on the city's website for maximum public access, all speakers must come to the speakers' podium before starting their remarks, speak into the microphone provided, and should give their names before speaking.

Section G: Filming and photography by members of the public are permitted, so long as they do not block the views of others, generate disruptive lights or noises, are safe, assure sufficient ingress and egress for all in the room, do not include distractive illumination, and do not disrupt the flow of public and council business.

Section H: The City Council's rules for meeting management and public participation shall be uniformly applied to all board and commissions operating under the authority and appointment of the Decatur City Council.

Section J: There may be situations where these public participation rules and procedures are found to not fit special or particular circumstances, topics or situations, or where additional inputs are desired than may be ordinarily obtained under these rules. When such circumstances occur or arise, the City Council may, by formal majority vote, temporarily suspend or waive these rules as needed, so long as such waivers show no bias to certain types of spoken content, or discriminatory treatment of types of presenters or classes of person (and so long as it complies with the other requirements of this policy, not specifically waived).

c. Preparation for Meetings

City Council, the Mayor, the City Manager and staff will rely on each other to become prepared for an effective meeting. To this end, the following procedures will be followed:

Councilmembers are encouraged to contact the City Manager or the designated staff resource with questions in advance of the Council meeting.

Staff members may also post information about agenda items or other current issues on the website for City Council or others to research.

The City Manager will arrange an advance calendar of meetings with as much information as possible about issues that are proceeding toward certain meeting dates.

Councilmembers are encouraged to share all information they may have with all other members of the City Council.

d. City Council Discussion

Council members will endeavor to be prepared to read material and research items.

Councilmembers will speak according to a structured sequence as the Mayor gives each member the floor. A Councilmember may request of the Mayor leave to interrupt or to respond to a point being made.

Councilmembers will endeavor to defer judgment on agenda items until after the full presentation of information, the Council discussion and any public comment.

Councilmembers recognize an obligation to the public and to their colleagues to articulate their own position on an agenda item prior to voting.

The rotation for voting will be changed by the City Clerk in order not to place the burden of first or last vote on the same Councilmember regularly. The Mayor is always last to vote in the rotation.

A Councilmember who wishes to abstain from a vote on an agenda item shall explain his/her reasons for abstention immediately after the agenda item is placed on the floor for consideration and shall abstain from any discussion and deliberation of the item.

e. Requests for Follow-up

Councilmembers may seek follow-up information or other action from the staff. The Mayor and the City Manager will assure that, before a Council meeting is adjourned, requests for follow-up are clear as to:

- What are the specific expectations for action or additional information?
- When or for what future meeting is the follow-up to be completed?
- Is the follow-up of broad interest to Councilmembers and the public, or is it a matter that may be communicated to a Councilmember directly?
- Does the follow-up require further clarification by a Councilmember to be included in a Council/Staff memo via email?

f. Reading of Titles

It shall be the policy of the City of Decatur to read the titles only of resolutions and ordinances with the titles describing the nature of the matter being considered and other information that will inform the public of the business being conducted.

g. Study Session Items

For Councilmember requested study session items, an initial request shall be made at a regularly scheduled Council meeting under New Business. No discussion shall be had at that time. The request shall be renewed at a subsequent Council meeting under New Business. If four (4) members of Council concur with the request, the item will be placed on a future agenda as a study session item.

h. Closed Session

Councilmembers shall respect the confidentiality of closed sessions and shall not disclose matters discussed. All documents distributed during closed sessions of City Council meetings, including minutes, shall be numbered by the City Clerk and returned to the City Clerk at the close of the closed session initialized by the Councilmember returning the document. Any and all notes taken by Councilmember during the closed session shall be provided to the City Clerk prior to the end of the closed session.

**5. Evaluation and Review**

a. Strategic Goals and Priorities

Annually or biennially City Council will formulate top priority issues and projects for focused attention by the City Manager and staff. The City Manager will arrange for regular update reports, not less frequent than June 1 and December 1 each year, to the Council and staff on the status and progress of each of those top priorities.

b. City Council Policies

City Council recognizes the need to evaluate the effectiveness of its policies regularly. Therefore, City Council Policies will be scheduled for review whenever two or more members of City Council request that a specific item or items be scheduled for review.

**6. Liquor License Availability**

When a license in a limited license classification becomes available for issuance, notice of such license availability shall be made at the next formal City Council meeting under "Other Business". The 30-day filing period shall commence following this notification.

It shall be the responsibility of the City Clerk to monitor license availability and cause such notice to be made in accordance with this policy.

## **7. Board of Local Improvements**

The membership of the Board of Local Improvements shall consist of the five (5) most senior incumbent Councilmembers. If two or more councilmembers have the same date of initial election, seniority, for the purpose of this policy, shall be determined by the greater vote total at such election.

## **B. FINANCIAL POLICIES**

### **1. Budget Policies** (September 3, 2019)

See Attached.

### **2. Fund Reserves** **New**

It is the policy of the city of Decatur, Illinois to maintain fund reserves sufficient to maintain normal governmental cash flow requirements during the course of the year, provide resiliency against catastrophic loss, buffer for the occurrence of one or more community emergencies, and/or endure a sustained economic downturn. The desire to maintain fund reserves in the General Fund should be tempered by the City Council's obligation to maintain taxes at a rate that is not burdensome. Consistently maintained cash reserves also serve to demonstrate that the city has the capacity to properly manage its finances, and this often contributes directly to lower debt financing costs.

Since the primary function of a restricted cash reserve is to insure uninterrupted operations and municipal service delivery: the city will, over several years, incrementally increase its General Fund cash reserves to equal 60 days (one sixth of the annual General Fund expenditure budget), NOT INCLUDING CAPITAL EXPENDITURES VALUED AT MORE THAN \$100,000.

Fund reserves for funds other than the General Fund may be separately approved from time-to-time by the City Council.

### **3. Interfund Transfer**

The City Manager and Director of Financial Management will notify the City Council regarding the transfer of monies from one fund account to a separate fund account and that the same be authorized by the City Council.

### **4. Public Contracts** **New**

Public contracts requiring a change or changes in a contract term not specifically provided for in the contract which causes an increase or decrease in either the cost of the contract by a total of \$10,000 or more or the time of completion by a total of thirty (30) days or more must be authorized in writing by the City Council.

Approval by the City Council will be required for contracts and agreements that require specific approval by their terms, that exceed the monetary limit amount set forth in the City Code for City Manager approval, that waive immunity of the City or that involve the determining or setting of policy within the responsibility of the City Council.

### **C. HUMAN RESOURCES POLICIES**

#### **1. Labor Negotiations**

The City Council shall not become directly involved in labor negotiations nor make public statements regarding negotiations in progress. Nothing contained herein shall be construed to limit the right and ability of City council members to speak publicly about general policy matters related to labor negotiations.

### **D. PROPERTY AND LAND USE POLICIES**

#### **1. Annexations**

All owners of property to be annexed as a surrounded area must be notified by mail of such impending City Council action.

When property which is the subject of a water service agreement or other type of pre-annexation agreement becomes contiguous with the City's corporate boundary an action by the City Council for annexation will be initiated no more than 6 months after contiguity is achieved.

The Department of Community Development shall be responsible for the notification, of surrounded tracts. The Public Works Department shall be responsible for initiating annexation actions for properties covered by pre-annexation and water service agreements.

#### **2. Parking Restrictions**

Any individual or group which requests parking restrictions shall be directed to circulate a petition and to contact each residence or business located in the block or blocks where parking restrictions are requested.

The petition shall be submitted to the Public Works Department for consideration by the Traffic and Parking Commission.

### **3. Sale, Vacation, Disposition of Public Property**

#### **a. Appraisal**

It is the policy of the City of Decatur that when real estate comes out of the public trust by sale, vacation or other disposition, compensation shall be required based upon an approved recent appraisal at the expense of the petitioner. The City may waive the appraisal requirement where the land value is expected to be less than \$5,000.00. The City may order a second appraisal at the City's expense, where the City deems it is necessary and where it may be deemed to determine compensation paid to the City.

The Department of Community Development is responsible for handling this process.

#### **b. Lake Adjacent Land**

The City Council shall deny any requests for disposition of Lake property if there is any possible impact on public access.

#### **c. Vacation of Public Property**

All requests for property vacations should be submitted to the Plan Commission for public hearing except for unused, dead-end rights-of-way.

All property owners with land abutting a piece of property which is under consideration for vacation shall be served proper notice before the City Council takes action on the request.

The Department of Community Development shall be responsible for including such requests on Plan Commission agendas and notifications, as required.

#### **d. Approval**

All sales of City-owned real estate must be approved by the City Council other than transfers made pursuant to the City's side yard or other real estate transaction policy.

### **4. Purchase of Property**

All purchases of real estate by the City must be approved by the City Council.

The Department of Community Development is responsible for handling this process.

## **5. Rezoning and Variances Requests**

### **a. Notification**

The Department of Community Development shall post one or more signs, depending on the circumstances and legal requirements, on each piece of property subject to a rezoning petition or a petition to the Zoning Board of Appeals for a variance.

In addition to the signs, each occupant of properties located within 200 feet of the area described in a petition shall be notified by mail.

All signs posted as notification of rezoning or variance requests shall be left in place until after the City Council meeting at which the rezoning proposal is considered or after action by the Zoning Board of Appeals.

The Department of Community Development may require the petitioner to supply the names and addresses of properties lying within 200 feet of the property to be rezoned or considered for a variance.

The Department of Community Development shall be responsible for following this notification procedure.

### **b. Continuance, Tabling**

If a rezoning petition is scheduled for Council action and fewer than all Councilmembers are present, the Council will continue, or table, such matter at the request of the petitioner.

## **ALREADY ADOPTED:**

### **CITY OF DECATUR BUDGET POLICY**

**1.0 POLICY STATEMENT:** This policy is established in compliance with 65 ILCS 5/8-2-9.1 et. seq. and Chapter 18.1 of the City Code and sets forth the procedures to be used in the preparation of the annual budget of the City and the administration of the budget during the fiscal period.

- 1.1 The City has adopted the budget method as set forth in the Illinois Municipal Code and Chapter 18.1 of the City Code and will operate as a budget city, with annual budget presentation to and adoption by the City Council before the end of the fiscal year preceding the budget fiscal year period.
- 1.2 The annual budget shall attempt to align the budget with the priorities set forth by the City Council and measure progress towards those priorities in an effort to obtain the best value for monies expended by the City.
- 1.3 The annual budget will be presented to the City Council and the City Clerk in sufficient time for public hearing to be held and the budget timely passed.
- 1.4 The budget officer or his designee shall be responsible for the required public notices required on the dates set forth in Chapter 18.1 of the City Code.
- 1.5 The approved annual budget shall be balanced such that expenditures cannot exceed revenues plus cash reserves.

## **2.0 PROCEDURES:**

- 2.1 Budget Officer Responsibilities:
  - a. In addition to the duties set forth in Chapter 18.1 of the City Code, the Budget Officer is responsible to prepare the annual budget of the City and present the annual budget to the City Council for approval and adoption before the beginning of the fiscal year to which it applies.
  - b. The Budget Officer will work with the City Council to define and establish City Council goals and objectives prior to the preparation of the annual budget.



- c. The Budget Officer will prepare the annual budget in accordance with defined goals and objectives as defined by the City Council.
- d. The Budget Officer will present the annual budget to the City Council in sufficient detail defining Departmental and Fund goals and objectives, line item expenditures, and performance metrics for the same.
- e. The Budget Officer will schedule Council Study Sessions, as required, for City Council discussion and review of the budget. Other than the public hearing required pursuant to Chapter 18.1 of the City Code, public discussion will be allowed as per Council policies and discretion.
- f. Council will not act on the ordinance approving the annual budget at the same Council meeting as the public hearing on the proposed budget ordinance as required pursuant to Chapter **18.1** of the City Code unless required **in** order to adopt the annual budget prior to the beginning of the fiscal year to which it applies.
- g. Reports on revenues and expenditures will be prepared monthly and reviewed by the City Council during the fiscal year.
- h. Prior to the end of the fiscal year, a budget reconciliation ordinance will be presented to Council for approval.

### 2.3 Budget Officer Authority:

- a. In addition to the duties set forth in Chapter 18.1 of the City Code, the Budget Officer shall have the authority to affect expenditures in support of operations as defined in the annual budget as approved and adopted by the City Council.
- b. The Budget Officer may include long range capital expenditures in the budget presented to Council for approval and Council may approve an annual budget containing long range capital expenditures.
- c. The Budget Officer will present an annual budget that attempts to maintain all its assets at a level such that it protects the City's capital investment and minimizes future maintenance and replacement costs.

## 3.0 **RESPONSIBILITY:** The City Manager is responsible for the administration of this policy, under the approval authority of the City Council.

- 3.1 This policy is subject to and may be amended only upon action of the City Council.