

CITY COUNCIL MINUTES

Monday, July 3, 2017

On Monday, July 3, 2017, 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 announced that Item No. 2. Ordinance Rezoning Property R-1 Single Family Residence District to M-1 Intense Commercial/Light Industrial District 3350 North 27th Street was pulled from the agenda.

Mayor Julie Moore Wolfe presided, together with her being Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, and David Horn. Councilwoman Dana Ray was absent. Six members present and 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.

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

Verlyn Rosenberger with the Decatur Audubon Society spoke in regards to the City trees. She requested Council consider terminating the agreement with Critchelow Logging agreement.

Margaret Evans one of the founders of Community Environmental Council and active in the Decatur Audubon Society, spoke about the importance of protecting islands of trees in the community.

President of Decatur Audubon Society Melody Arnold expressed her concerns about the logging of the 114 trees and encouraged the Council to cancel the logging agreement. Ms. Arnold requested Council do an inventory of all the wooded properties that the City owns and their ecological value.

Karen Seger shared that they had met with Joe Nihiser on June 7, 2017 as to why their dock rates had increased so much over the past few years. They learned that it was because they live in the township on their side of the basin. Ms. Seger stated they have had a boat dock there since 1993. She stated that they were the only ones in the Sand Creek Basin paying \$119. They would like Council to consider grandfathering them in.

Angelo Rinchiuso stated he was looking for a recycling program for the businesses and fast food industries in Decatur.

The minutes of the June 19, 2017 City Council meeting were presented. Councilman Pat McDaniel moved the minutes be approved as written; seconded by Councilman Charles Kuhle,

and on call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn 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.

2017-32 Ordinance Rezoning Property R-3 Single Family Residence District to O-1 Office District 4 and 12 Southland Drive, was presented.

Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Lisa Gregory.

Councilman Bill Faber asked if there had been any feedback from the neighborhood. City Manager Tim Gleason stated the Plan Commission notification would have gone out to the adjacent property owners. Mayor Julie Moore Wolfe stated there were signs posted for the required amount of time. Councilman Bill Faber stated he wanted to engage the community as much as they could and sometimes the City needs to be proactive in bringing forth their commentary. Councilman Charles Kuhle stated he went out to the neighborhood last Friday and looked at the property and knocked on the door of 20 Southland Drive and the resident came forward. He spoke to the resident and he pointed to the sign and he invited her to come to the Council meeting tonight. Councilman Charles Kuhle stated he did not see the resident in the audience. Councilman Charles Kuhle stated he also went to 5 Southland Drive, but there was no answer at that residence.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2017-33 Ordinance Rezoning Property B-3 Planned Shopping Center District to B-2 Commercial District 450 East Pershing Road, was presented.

Councilwoman Lisa Gregory moved the Ordinance do pass; seconded by Councilman Pat McDaniel.

Verlyn Rosenberger asked why the developer couldn't use the former Schnucks grocery store at Northgate to relocate the Aldi's grocery store to. Mayor Julie Moore Wolfe stated it was up to the people who are putting the money into a development as to where they want to go. They seek out a location that is best for their business plan.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2017-34 Ordinance Amending PD Planned Development District 1312 North Water Street, was presented.

Councilman Pat McDaniel moved the Ordinance do pass; seconded by Councilwoman Lisa Gregory.

Councilman Bill Faber asked how the prohibition of counseling services is incorporated into the agreement. City Manager Tim Gleason explained that years ago Council approved an item that would allow for the exclusion of consumer credit offices. Councilman Bill Faber asked that as they reviewed the proposal, they were certain that this type of business would not be allowed under the amendment. City Manager Tim Gleason stated it would not at this site. Councilman Bill Faber asked if there was another site it would be allowed on. City Manager Tim Gleason stated not that is being considered on this planned development. Councilman Charles Kuhle asked if Council could have a ceiling on these types of businesses. Corporation Counsel Wendy Morthland stated that Council could not have a ceiling. Council had chosen to regulate through the zoning regulation and there is a restriction how close these types of services can be located to each other.

Andrew Wessler representing the petitioner, Champaign Rentals, asked for the amendment to allow the tenant to remain. He stated it would create a buffer around that area, and we can already open another one up within 50 feet as it currently stands now.

Councilman Bill Faber asked about the Plan Commission vote of 5 to 2, what were the implication of the two negative votes. Deputy City Manager Billy Tyus stated there wasn't a description of why there were two negative votes. Councilwoman Lisa Gregory asked how staff became aware of the business in this location. Deputy City Manager Billy Tyus stated in September staff learned that this business had opened in August 2016 on site.

Mary Cave asked Council to consider amending the planned development to only allow for this lower tier of consumer credit services instead of all of them.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-88 Resolution Authorizing an Agreement with AECOM Technical Services, Inc. for Engineering Services to Provide Design Services to Improve the Mound Road / Spring Creek West & Middle Bridges, City Project 2017-06, was presented.

Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2017-89 Resolution to Appropriate Motor Fuel Tax Funds to Pay the City's Portion of Engineering Costs for the Mound Road / Spring Creek West & Middle Bridges Improvements by Municipality under the Illinois Highway Code, City Project 2017-06, was presented.

Councilwoman Lisa Gregory moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Receiving and Filing of Minutes of Boards and Commissions, was presented.

Councilwoman Lisa Gregory moved the item do pass as presented; seconded by Councilman Charles Kuhle.

Upon call of the roll, Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe called for Other Business. Councilman David Horn commented on the letter the Decatur Audubon Society sent to Council last week requesting Council to immediately terminate their agreement with Critchelow Logging Company. Councilman David Horn shared his concerns about information provided regarding the Critchelow Logging agreement. City Manager Tim Gleason responded to Councilman David Horn's comments.

Councilman Pat McDaniel asked if Council would be interested in adopting a new City ordinance that would require to increase the fine for distracted driving to \$250 for the first offense and \$500 for the third offense. Mayor Julie Moore Wolfe asked Councilman Pat McDaniel if he had spoken to Police Chief Jim Getz and he stated he had. Mayor Julie Moore Wolfe asked Police Chief Jim Getz to come up to the podium and share his comments regarding distracted driving. Police Chief Jim Getz explained it was very hard to put a number on how many accidents are caused by distracted driving. Police Chief Jim Getz would like to see more invested in educating the public that if they don't get it together they are going to charge more. Chief Jim Getz responded to Council questions regarding distracting driving. Mayor Julie Moore Wolfe polled Council to see if there was a Council consensus to have an Ordinance on a future Council agenda for increasing the fines for distracted driving. Councilmen Lisa Gregory, Pat McDaniel, Charles Kuhle and Mayor Julie Moore Wolfe were in favor. Councilmen Bill Faber and David Horn were not in favor. Four in favor and two not in favor. Mayor Julie Moore Wolfe declared a consensus.

Councilman Bill Faber asked if there was a date for the Town Hall meeting. City Manager Tim Gleason stated the meeting will be July 27, 2017, 5:30 p.m. – 7:00 p.m., with a location to be determined soon.

City Manager Tim Gleason shared he wanted to address the increasing complaints about panhandling in the community. City Manager Tim Gleason asked Corporation Counsel Wendy Morthland to review the existing laws related to panhandling. Corporation Counsel Wendy

Morthland reviewed City Ordinance that prevents panhandling entitled Unlawful Solicitation. Corporation Counsel Wendy Morthland responded to Council questions regarding panhandling in the downtown area. City Manager Tim Gleason asked Police Chief Jim Getz to the podium to share information about enforcements tactics and opportunities that the Police are currently doing. Police Chief Jim Getz shared that since May 18, 2017, police have stepped up their enforcement downtown. They have had over 100 hours of police officers out on foot patrol in the downtown area including the library and Central Park area. They have made 13 arrests since that time. Police have to be able to spread their resources throughout the community and do the best they can. Police Chief Jim Getz provided statistics about local solicitors arrest records. Police Chief Jim Getz asked the public to stop giving solicitors money. There are public agencies out there to help solicitors.

City Manager Tim Gleason asked United Way Executive Director Debbie Bogle to the podium to share information about 211. Ms. Bogle shared that 211 is a resource that anyone can call to find services that they may need in the community. Ms. Bogle requested citizens to not give solicitors money. She encouraged everyone to call 211 and utilize the services available in the community.

Dove's Executive Director Christine Gregory shared information about the homeless and solicitors in the community. She stated public education is the biggest piece; in addition, to giving people an outlet for their funds so agencies can do some good in the community.

Councilwoman Lisa Gregory moved the regular Council meeting be adjourned; seconded by Councilman Charles Kuhle. Councilmen Charles Kuhle, Pat McDaniel, Bill Faber, Lisa Gregory, David Horn and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 7:08 p.m.

Approved July 17, 2017
Debra G. Bright
City Clerk